

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69077 of 2021

Arising Out of PS. Case No.-314 Year-2021 Thana- MANJHI District- Saran

ABHINANDAN KUMAR Son of Shivji Ray Resident of village Chaksukar,
P.S. Vaishali, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Advocate
For the Opposite Party/s : Ms.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Manjhi P.S. Case No. 314 of 2021 for the offence registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding the vehicle in question being
apprehended by the police and on search 180 litres of beer was
recovered. It is also alleged that the petitioner is the driver of the
vehicle in question and he was arrested from the spot.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 07.09.2021.
The learned counsel for the petitioner has further submitted that
though the petitioner is an accused in one other case but he is on
bail in the said case. It is next submitted that the petitioner is



merely the driver of the vehicle in question, hence he was not knowing about the freight loaded in the said vehicle in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is merely the driver of the vehicle in question and not the owner of the same apart from the fact that he is languishing in custody since 07.09.2021, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge (Excise), Saran in connection with Manjhi P.S. Case No. 314 of 2021.

(Mohit Kumar Shah, J)

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