

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69487 of 2021

Arising Out of PS. Case No.-91 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

SIKANDAR YADAV S/O BAHADUR YADAV @ BADUL MAHATO R/o
village- Raushan Nawadih, P.S.- Debipur, District- Deoghar (Jharkhand)
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Adv.

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard Mr. Rabi Bhushan, learned counsel for the

petitioner and Dr. Kumar Uday Pratap, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with Excise
Case No. 91 C2 of 2021 registered for the offence punishable
under Sections 30(a), 32, 41, 56(b) of Bihar Prohibition &
Excise (Amendment) Act 2018.

As per prosecution case, 168.375 litres of Indian
Made Foreign Liquor has been recovered from a pickup van
bearing Registration No. JH15D/7730 driven by the petitioner
and one another accused person as *Khalasi* was also there in the
van.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case on the basis of he
being driver of the said vehicle. Learned counsel further submits



that no illicit liquor has been recovered from the conscious possession of the petitioner. He was driving the said pickup van at the instance of its owner and he was not aware about the liquor being kept in the vehicle. Next submission is that the similarly situated co-accused, Gopal Kumar Pandit said to be *Khalasi*, has been granted bail by a Bench of this Court *vide* Cr. Misc. No. 50393/2021. Petitioner is in custody since 26.07.2021.

Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused has been granted bail by a Bench of this Court and the petitioner is in custody since 26.07.2021, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SIKANDAR YADAV be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Lakhisarai in connection with Excise Case No. 91 C2 of 2021.

(Anil Kumar Sinha, J)

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