

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69436 of 2021**

Arising Out of PS. Case No.-141 Year-2021 Thana- BARUN District- Aurangabad

SONU YADAV Son of Ramapati Yadav @ Ramapati R/O Village - Gopalpur,  
P.S.- Mehnagar, District - Azamgadh (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manish Chandra Gandhi  
For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

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

The petitioner seeks regular bail in connection with Barun P.S. Case No. 141 of 2021, General Registration No. 724/2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding the police having intercepted a truck and upon search, 891 liters of illicit foreign liquor was recovered. The petitioner is stated to be the driver of the truck in question and was arrested from the spot.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 10.6.2021. The learned counsel for the petitioner has further submitted that admittedly, the petitioner is not the owner of the truck in question and is merely the driver of the truck, hence, he was not having any knowledge about the contents of the articles loaded in the said truck by the owner of the same, thus, the petitioner cannot be saddled with the liability of the seized liquor.

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 truck in question and not the owner of the same,



apart from the fact that he is having a clean antecedent and he is languishing in custody since about one year, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Il-cum-Special Judge, Excise, Aurangabad in connection with Barun P.S. Case No. 141 of 2021, General Registration No. 724 of 2021.

**(Mohit Kumar Shah, J)**

Ajay/-

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