

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15046 of 2023

Arising Out of PS. Case No.-5 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Supaul

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Tarni Yadav @ Tarnee Yadav, S/o Parmeshwari Yadav @ Parmeshvari Yadav
R/v- Bishanpur, Vasha, Ward No- 11, Basaha, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanchan Jha, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 09-05-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Excise P.S. Case No. 05 of 2020 dated 21.07.2020 registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise Act.
3. The main submissions advanced by the learned counsel for the petitioner are that the instant matter relates to the recovery of 402 litres of Nepali liquor and the same is stated to have been recovered from a Scorpio vehicle but the petitioner is neither owner nor driver of the said vehicle and he was not apprehended at the spot of the recovery and he has been languishing in jail since 13.12.2022, though against him there



are criminal antecedents of two cases but he is on bail in the said cases and in the present matter investigation has been completed against him.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly completion of investigation against the petitioner, his custody period and also the facts that he was not apprehended at the spot of recovery and he is not stated to be the owner or driver of the alleged vehicle from which the alleged wine was recovered, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Excise P.S. Case No. 05 of 2020 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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