

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21698 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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MANJEET KUMAR YADAV @ MANJIT KUMAR YADAV, Male, aged about 25 years, S/o Ravindar Yadav @ Ravindra Yadav Resident of village-Supauli, Police Station-Sidhwalia, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 19-05-2023 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. 31 of 2023 dated 09.01.2023 registered for the offence(s) punishable under Section(s) 30(a) of the 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 155.52 litres of Indian made foreign liquor and the same is stated to have been recovered from two vehicles and the petitioner had concern only with the recovery of 138.240 litres of said liquor which was made from one of the alleged vehicles, in fact the petitioner was travelling in the said vehicle



simply as a passenger and he was neither driver nor owner of the said vehicle and at the time of recovery this petitioner was travelling with other two co-accused persons, namely, Subash Kumar Tiwari @ Subhash Tiwari and Ranjeet Mahto (driver of the alleged vehicle) who were apprehended at the spot and the said co-accused persons have been granted bail by this Bench vide order passed in Cr. Misc. No. 15778 of 2023 and other analogous matter and petitioner's case is completely identical to the co-accused Suhash Kumar Tiwari @ Subhash Tiwari. Further submissions are that the petitioner has been languishing in jail since 10.01.2023 and against him the investigation has been completed and though there is criminal antecedent of one case against him but he is on bail in the said case.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail and submitted that the petitioner and co-accused persons were found with the alleged liquor in a stolen vehicle.

5. 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 and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the



privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail in connection with Excise P.S. Case No. 31 of 2023 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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