

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46918 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- BALRAMPUR District- Katihar

Babul Kumar, S/o Parmanand Yadav @ Pramanand Yadav, Resident of Vill.-
Chhoti Khagha, P.S.- Mirganj, District.- Purnea,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 31-07-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Balrampur (Telta) P.S. Case No. 82 of 2023 dated 12.06.2023 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 207.780 litres of foreign liquor from a car and no doubt the petitioner was found sitting in the said car when the recovery was made but in actual he was performing his duty as a driver at the instruction of his owner and was carrying the seized material without his knowledge to destination as told by the vehicle's owner. Further submissions are that the petitioner



has fair and clean antecedent and has been languishing in jail since 13.06.2023.

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

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and also the facts that as per above submissions the petitioner is stated to be a driver by profession and he was apprehended from the alleged vehicle as being its driver, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Balrampur (Telta) P.S. Case No. 82 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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