

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67214 of 2022

Arising Out of PS. Case No.-213 Year-2022 Thana- RAJAON District- Banka

SHANKAR KUMAR Son of Srikant Narayan Yadav @ Kant Narayan Yadav
Resident of Village- Gamharia, Ward No.-5, P.S.- Gamahariya, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Jha, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Special Excise No.469 of 2022 arising out of Rajoun (Nabada) P.S. Case No. 213A (213) of 2022, for the offence registered under Sections 30(a) and 32(2) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding the police having apprehended a car upon chase, whereafter the driver of the said car and two persons sitting therein were arrested and upon search 201 litres of illicit foreign made liquor was recovered.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 05.08.2022. The learned counsel for the petitioner has further submitted that neither the petitioner has been arrested from the spot nor he is the driver of the said vehicle in question nor the car belongs to him, hence the petitioner is not having any complicity in the matter.

Per contra, the learned A.P.P. 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 neither the petitioner is owner of the car from which illicit liquor has been recovered nor the petitioner has been nabbed from the spot nor any illicit liquor has been recovered from the petitioner, I deem it fit and proper to admit the petitioner to



the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Banka in connection with Rajoun (Nabada O.P.) P.S. Case No. 213A (213) of 2022.

(Mohit Kumar Shah, J)

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