

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69852 of 2022

Arising Out of PS. Case No.-186 Year-2022 Thana- KHAJAULI District- Madhubani

=====

SANJAY KUMAR YADAV S/O Sita Ram Yadav R/O Village- Chhapradhi,
Ward No- 1, P.S- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Ms.Gulnar Begum, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with Khajauli PS case no. 186 of 2022 instituted for the offences punishable under Section 420 and other allied sections of the Indian Penal Code and Section 30(a) and other allied sections of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 1240.200 liters of illicit foreign liquor from a truck, whereupon the petitioner was arrested from the spot and he had disclosed about the complicity of other co-accused persons.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in



custody since 01.10.2022. The learned counsel for the petitioner has further submitted that the petitioner, at best, can be said to be the driver of the truck in question, hence, he was not knowing about the consignment loaded on the said truck, thus the petitioner is not having any complicity in the matter.

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 parties 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 is having a clean antecedent, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge 2nd-cum-Special Judge, Excise Act, Madhubani in connection with Khajauli PS case no. 186 of 2022.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

