

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1466 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

Chand Kishore Yadav @ Chandra Kishore Yadav Son of Bindeshwar Yadav
R/O West Sahoriya, P.S.- Saur Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

2. Heard learned counsel for the petitioner and the learned APP for the State.

3. Petitioner seeks regular bail in connection with Excise Complaint Case No. 263 of 2022 dated 24.11.2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

4. As per the prosecution, the informant along with other police personnel while on routine patrolling and vehicle checking, apprehended this petitioner with a vehicle and on search, total 276 litres of foreign liquor was recovered from a secret box made in the alleged vehicle.



5. The main submissions advanced by petitioner's counsel are that the instant matter relates to recovery of total 276 litres of foreign liquor and the same is stated to have been recovered from a four wheeler (Tata Magic Pickup) and the petitioner is stated to be the driver of the alleged vehicle but he had no knowledge about the loaded liquor in the said vehicle when he was apprehended and he was performing his duty as a driver of the said vehicle as per the direction given by the owner of the vehicle. Further submissions are that the petitioner has been languishing in jail since 23.11.2022 and has fair and clean antecedent.

6. Learned APP appearing for the State has opposed the bail prayer.

7. Considering the above submissions and mainly the petitioner's fair and clean antecedent and his custody period, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail 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 in connection with Excise Complaint Case No. 263 of 2022.

(Shailendra Singh, J)

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