

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38946 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- Bypass District- Bhagalpur

Sandeep Kumar SON OF ARVIND YADAV R/O- VILLAGE KOLLUA , P.S-
SHANKARPUR, DIST- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar Choubey, Advocate
For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
the Bypass P.S. Case Number 15/2024 lodged on 24.03.2024
under Section 30 (a) Bihar Prohibition and Excise Act.

3. As per the prosecution case, the FIR has been
lodged against four named accused persons, including the
present petitioner. Total recovery of 192.42 *litres* Indian Made
Foreign liquor is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
for the petitioner further submits that the petitioner has been
arrested from a vehicle, on which illicit liquor has been
recovered, but the petitioner is neither the owner nor the co-



driver or the driver of the vehicle. The petitioner is completely unaware about the loaded wine on the said vehicle. The petitioner is in custody since 25.03.24 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that from the allegation of the FIR, it appears that the petitioner is the king-pin.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed,** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge cum Exclusive Special excise Judge-01, Bhagalpur , subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

Ashwini/-

(Dr. Anshuman, J.)

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