

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83940 of 2023

Arising Out of PS. Case No.-188 Year-2023 Thana- PARBATTI District- Bhagalpur

Baleshwar Kumar Yadav Son Of Arun Yadav R/O Village- Godhighat, P.S.
And District- Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh
For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail registered for
the offence punishable under sections 30(a) of the Bihar
Prohibition and Excise Act.

3. Prosecution case relates to recovery of 904.77
litres of IMFL from pickup van which was being driven by
the petitioner and he was arrested on spot. From possession
of the petitioner one mobile and cash of Rs. 1,500/- were
also recovered.

3. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has got no criminal antecedent.



Petitioner is simply a driver and on direction of the owner, he was driving the vehicle and he was unaware about the consignment loaded on it. Seized mobile and cash belong to the petitioner himself. Petitioner is languishing in judicial custody since 13.10.2023.

4. Learned APP appearing for the State has opposed the prayer of Bail.

5. Petitioner is directed to deposit Rs. **5,000/- (Rs. Five thousand)** in the concerned DLSA.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge Special Exicse Court No.-II, Bhagalpur in connection with Parbatta P.S. Case No. 188 of 2023.

7. The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five thousand only)** by the



petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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