

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27798 of 2018

Arising Out of PS.Case No. -240 Year- 2017 Thana -KHUSRUPUR District- PATNA

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Raju Kumar Saw @ Raju Kumar @ Raju Saw @ Raj Kumar S/o late Dev
Nandan Saw@ late Dev Nandan Prasad Resident of Village- Harnaut
Chandi Road, Police Station- Harnaut, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Special Case
No. 7838 of 2017 arising out of Khusrupur P.S. Case No. 240 of
2017 for offences punishable under Sections 420, 120(B) of the
Indian Penal Code and Section 30 (a) 38/41 of the Bihar Excise
Amendment Act, 2016.

The prosecution case, as lodged by the informant police
personnel, is that on secret information a truck, Swift Car and Alto
Car was intercepted and five persons were arrested. The driver of
the truck namely Shankar Yadav named the petitioner as owner of
the said truck. Total 456 liters of wine was recovered from the
three vehicles and out of which 420 liters was recovered from the



truck alleged to be owned by the petitioner.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, the truck did not belong to him, he was not even at the place of occurrence and charge-sheet has been submitted and that he is languishing in judicial custody since 11.03.2018. The truck driver Shankar Yadav has already been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 5959 of 2018 on 22.02.2018 and some of the other accused have also been granted the privilege of bail by co-ordinate Benches of this Court.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Special Judge, Excise Patna in connection with Special Case No. 7838 of 2017 arising out of Khusrupur P.S. Case No. 240 of 2017.

(Nilu Agrawal, J)

Devendra/-

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