

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61520 of 2019**

Arising Out of PS. Case No.-42 Year-2019 Thana- KALER District- Jehanabad

Niranjan Singh S/o Sulkhan Singh R/o village- Bhunna, P.S.- Siwan, District-
Kaithal, State- Hariyana

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey
For the Opposite Party/s : Mr. Ajay Kumar No. 2

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kaler P.S.
Case No. 42 of 2019 registered for the offence punishable under
Sections 419, 420, 467, 468/34 of the Indian Penal Code and
Section 30(a) Bihar Prohibition & Excise Act-2016.

Huge quantity of foreign liquor kept in the cartoon
beneath the bags of straw is said to have been recovered from a
truck hailing to M/s Albahest Agencies Ambala, Haryana and
petitioner, who happens to be its driver and its cleaner, namely,
Devendra Singh were apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious



physical possession of the petitioner. He has no concern with the seized liquor. He happens to be driver of the aforesaid company and he had no knowledge of keeping of liquor in the cartoon beneath the bags of straw. He was simply directed by the owner of transport company to drop the consignment on the destination. Charge in the case has already been framed. Petitioner has no criminal antecedent and has been languishing in custody since 9.06.2019. Cleaner of the truck, namely, Devendra Singh has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 12.09.2019 passed in Cr. Misc. No. 57021 of 2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released 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 Addl. Sessions Judge-II, Jehanabad in connection with Kaler P.S. Case No. 42 of 2019.

(Prakash Chandra Jaiswal, J)

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