

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13347 of 2020

Arising Out of PS. Case No.-26 Year-2020 Thana- BAUSI District- Purnia

MD. JABBAR @ MUNNA S/o Late SK. Subarati Resident of Panchampura
Madar Chowk, Katni, P.S.- Katni, District- Jabalpur (Madhya Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

Mr. Bhola Prasad

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 29-05-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Special Excise Case No. 52 of 2020 (Baisi P.S. Case No. 26 of 2020), disclosing offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 41, 47 of Bihar Prohibition and Excise Act, 2016.

It is alleged that from a truck bearing Registration No. AS01EC-1031, 3631.275 litres of various brands of foreign liquor was recovered by the police. The petitioner was found to be driving the said truck.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner was merely a driver of the vehicle and he did not know about the articles which were loaded in the



truck. He submits that the petitioner was driving the vehicle on the instructions of co-accused Nanki Shah.

Be that as it may, considering the huge quantity of foreign liquor, said to have been recovered from the truck, which was in possession of the petitioner in his capacity as driver of the vehicle, I am not inclined to grant the petitioner privilege of regular bail.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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