

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80156 of 2019

Arising Out of PS. Case No.-333 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

Ashok Pandit, aged about 46 years, Gender- Male, Son of Shyam Lal Pandit @ Shyam Lal, Resident of Village-Dhodhi @ Chhochhi, P.S.-Dujana @ Dojana, District-Jhajhar @ Kshakshar (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the State : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 06-01-2020

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bochahan PS Case No. 333 of 2019 dated 22.09.2019 instituted under Sections 277, 273, 120B of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that he was driving a truck registered in the State of Uttar Pradesh from which 8544 bottles containing 1900.80 litres of liquor has been recovered.

4. Learned counsel for the petitioner submitted that he was merely the driver of the truck having no criminal antecedent



and was not aware of the articles which were being loaded for transportation. It was further submitted that the petitioner is in custody since 25.09.2019.

5. Learned APP submitted that the petitioner was driving the truck in which huge quantity of liquor was smuggled into the State of Bihar, where there is prohibition. It was further submitted that the driver not being aware of the materials, which he was carrying, cannot be believed.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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