

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12529 of 2021**

Arising Out of PS. Case No.-255 Year-2020 Thana- DHANAHA District- West Champaran

TEJ PRATAP TIWARI Son of Jatashankar Tiwari Resident of Vill.- Indira
Nagar, Ward No.- 12, P.S.- Padrauna, District - Kushinagar, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh, Advocate

For the Opposite Party/s : Mr.S.M Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 25-06-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Dhanaha P.S. Case no.
255 of 2020 registered under section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the FIR, on the truck in question
being stopped and checked, it is stated that 1929 litres of liquor
was recovered from the same and the driver Pawan Kumar was
taken into custody. It is stated that on enquiry the said driver
disclosed that his truck had been caught in the State of Uttar
Pradesh and there the accused Pawan Kumar and one another
permitted the truck to proceed only after payment of Rs. 2 lacs.



It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR against the petitioner are false and incorrect. Neither the petitioner has any concern with the truck in question nor with the driver or the seized liquor. No allegation under section 30(a) of the Bihar Prohibition and Excise Act is made out against the petitioner who has no criminal antecedent and is in custody since 28.10.2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Dhanaha P.S. Case no. 255 of 2020 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Bettiah, West-Champaran.

(Partha Sarthy, J)

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