

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29479 of 2021**

Arising Out of PS. Case No.-14 Year-2021 Thana- SAHARGHAT District- Madhubani

Vijay Kumar Mandal S/O Suresh Mandal R/o village- Lorika, P.S.- Benipatti,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 01-12-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Saharghat P.S. Case No. 14 of 2021, registered for the offence under Section 272, 273, 414/34 of the I.P.C., Section 30(a) of Bihar Prohibition and Excise Act and Sections 25(1-b)a, 26, 35 of the Arms Act.

On a secret information, a raid was conducted and 540 liters of country-made liquor has been recovered from a pick-up van and this petitioner, who was driver of the pick-up van, was apprehended and on search, one loaded pistol alongwith one live cartridge was recovered from from his possession.

It is submitted on behalf of petitioner that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner, being driver, was



unaware about the nature of consignment, which was being transported in the said van, and he was simply following the instruction of the owner. Petitioner has no criminal antecedent, as per paragraph – 3 of the petition, he is in custody since 28.01.2021. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. 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 Additional Sessions Judge - II cum Special Judge, Excise Act, Madhubani in connection with Saharghat P.S. Case No. 14 of 2021.

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

