

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37607 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- MAHESHKHUNT District- Khagaria

AJAY KUMAR Son of Surendra Kumar Resident of Village- Shivgadh, P.S.-
Sorany, District- Prayag Raj (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajit Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Maheshkhunt P.S. Case No. 37/2021, registered for the offence punishable under Sections 272, 273, 420, 467, 468, 471/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

The allegation is regarding recovery of 400 liters of spirit from a tata magic van and the petitioner is stated to be the driver of the said vehicle.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 27.2.2021. The learned counsel for the petitioner has further submitted that since the petitioner is the driver of the vehicle in question, he was not having knowledge about the consignment, which had been loaded in the pick-up van.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Khagaria in connection with Maheshkhunt P.S. Case No. 37/2021.

(Mohit Kumar Shah, J)

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