

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32715 of 2020

Arising Out of PS. Case No.-102 Year-2020 Thana- BARUN District- Aurangabad

1. JASBIR SINGH S/o Balwant Singh R/o Village- Bala Chak, P.S.- Tarn Taran, Distt- Tarn Taran, Punjab
2. Karnal Singh S/o Kuldip Singh Resident of Village- Patti, P.S.- Vyas, Dist- Amritsar, Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 19-01-2021 Heard Mr. Sumit Shekhar Pandey, learned counsel
for the petitioners and Mr. Nawal Kishore Prasad, learned
Additional Public Prosecutor appearing for the State.

Petitioners seek regular bail in connection with
Baarun P.S. Case No. 102 of 2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Amendment Act, 2018.

The allegation as per the First Information Report is
that a truck bearing registration No. PB-13AW-0139 was
intercepted by the Police Official and recovered a total quantity
of 4397.25 litres of illicit liquor from the same. Petitioners are
said to be driver and cleaner of the said truck.



Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case merely on the basis of the fact that they are driver and cleaner of the said truck. Learned counsel further submits that the petitioners being the driver and cleaner of the truck, were not aware about the illicit liquor being kept inside the vehicle, and they were told by its owner to deliver the consignment of 60 sacks of husk at a place in Bihar. Learned counsel also submits that the petitioners have got no criminal antecedents and they are in custody since 17.06.2020 and charge sheet has already been submitted. Learned counsel next submits that there is no possibility that the petitioner will abscond or tamper with the evidence.

Having heard learned counsel for the parties and taking into consideration the materials on record, the fact that the petitioners have got no criminal antecedents and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to



the satisfaction of learned Additional District & Sessions Judge-VII-cum-Special Judge, Excise, Aurangabad, Bihar, in connection with Baarun P.S. Case No. 102 of 2020 subject to the condition that one of the bailors shall be a local person residing in the territorial jurisdiction of concerned court. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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