

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58500 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- NADI P.S. District- Patna

GAURAV KUMAR Son of Pramod Kumar Resident of Village - Jethuli, P.S.-
Nadi, Distt. - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Rathour, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special Case No. 1478 of 2021 arising out of Nadi P.S. Case
No. 33 of 2021 for the offence registered under Sections 420,
467, 468, 471/34 of the Indian Penal Code and Sections 30(a),
36 and 41(1) of the Bihar Excise and Prohibition Act.

The allegation is regarding recovery of huge quantity
of illicit liquor from a truck and the name of the petitioner has
transpired in the present case upon disclosure made by the
driver and khalasi in question.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 27.07.2021.
The learned counsel for the petitioner has referred to paragraph



no. 8 of the present petition to submit that the petitioner is neither the owner nor the driver, nor the cleaner of the truck in question.

Per contra, the learned counsel 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 fact that the petitioner is neither the owner nor the driver, nor the cleaner of the truck in question and moreover he is stated to be languishing in custody since 27.07.2021, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Special Judge, Excise, Patna in connection with Special Case No. 1478 of 2021 arising out of Nadi P.S. Case No. 33 of 2021.

(Mohit Kumar Shah, J)

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