

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4369 of 2022

Arising Out of PS. Case No.-79 Year-2021 Thana- DHOLBAJJA District- Bhagalpur

SANTOSH KUMAR Son of Laxman Paswan Resident of Village Khushrupur, Gopalpur Tola, Ward No. 12, Police Station Khushrupur, (Wrongly mentioned Dholbazza in F.I.R.) District Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-04-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30 (A) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 868 liters of foreign liquor has been recovered from a pick up van of which this petitioner was driver.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner being driver of the vehicle was not aware of nature of consignment transported



by the vechile and he was simply following the instruction of owner of the vehicle. Petitioner claims clean antecedent and is in custody since 07.11.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Sessions Judge-II-cum- Special Judge, Excise Act, Bhagalpur in connection with Dholbazza (Kadwa) PS case No. 79/2021.

(Prabhat Kumar Singh, J)

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