

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6790 of 2022

Arising Out of PS. Case No.-73 Year-2017 Thana- DURGAWATI District- Kaimur (Bhabua)

1. DILIP @ DILIP KUMAR @ KULDEEP Son of Kunnu Babu @ Kunnu Yadav Resident of Village - Simaria, Police Station - Harpalpur, District - Hardoi, Uttar Pradesh.
2. Pankaj Kumar @ Pankaj Son of Brij Kishor @ Pappu Yadav Resident of Village - Simaria, Police Station - Harpalpur, District - Hardoi, Uttar Pradesh.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Pandey
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2022 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 419, 420, 467 and some other ancillary Sections of the Indian Penal Code and under Section 30 (a), 32(i) (ii), 38(i), 47, 41(i) of the Bihar Prohibition & Excise Act. .

As per the prosecution case, 3024 liters of illicit liquor has been recovered from a truck of which petitioner No.1 was driver and petitioner No.2 was cleaner.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in



the case. No incriminating article has been recovered from the conscious possession of the petitioners and they are no way concerned with the alleged recovery. It is submitted that petitioners were not aware of nature of consignment carried through the vehicle and they were simply following the instruction of the owner of the vehicle in question. Petitioners claim clean antecedent and are in custody since 21.08.2021 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 petitioners, let the petitioners, 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, Kaimur at Bhabua in connection with Durgawati PS case No.73/2017.

(Prabhat Kumar Singh, J)

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