

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12666 of 2022

Arising Out of PS. Case No.-327 Year-2021 Thana- BAISI District- Purnia

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BIR KISHOR KUMAR S/o Bilas Yadav @ Bilash Ray R/o village- Shankar Saraiya, Munshi Inar, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Baisi Police Station Case No. 327 of 2021, registered for the offences punishable under Sections 414/272/273/34 of the Indian Penal Code and Sections 30 (a)/41/47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, on the basis of secret information, intercepted one truck and recovered 1800 litres of illicit liquor from the same and also apprehended the driver and cleaner of the said truck.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique

motive. He further submits that the petitioner is the cleaner of the truck in question and he was not aware about the illicit liquor being kept inside the truck. He further submits that the petitioner is in custody since 17.11.2021, having no criminal antecedent, and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the petitioner is the cleaner of the truck, charge sheet has already been submitted and the petitioner is in custody since 17.11.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Purnea, in connection with Baisi Police Station Case No. 327 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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