

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22526 of 2022

Arising Out of PS. Case No.-643 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Narendra Pandey @ Nagendra Pandey, Son of Late Narayan Pandey, R/O
Village- Mohrampur, P.S.- Garkha, District- Chapra (Saran) Bihar

... .. 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.Madan Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Sadar P.S. Case No. 643 of 2021 registered for the alleged offences under Sections 467, 468, 471, 420 and 201 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, on receiving information about passage of truck containing illicit liquor, a checking was initiated and a truck was intercepted and the recovery of



3429.36 litres of India made foreign liquor was made from the intercepted truck. Petitioner and the co-accused were apprehended from the truck.

The learned counsel for the petitioner submits that the petitioner is merely a cleaner and has no knowledge about the consignment loaded on his truck. He is not the owner of the vehicle and nothing incriminating has been recovered from his conscious possession. The petitioner is in custody since 16.09.2021 and the charge-sheet has been submitted in this case. The petitioner has got clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner was apprehended from the vehicle from which huge quantity of illicit liquor was recovered.

Having regard to the submissions made hereinabove and considering the fact that the petitioner has got no criminal antecedent and further considering the submission of charge-sheet and the period of his custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-1, Muzaffarpur, Bihar in connection with Sadar P.S. Case No. 643 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the



following conditions :

(i) One of the bailors will be the deponent, who has sworn the affidavit.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

