

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41499 of 2021**

Arising Out of PS. Case No.-188 Year-2021 Thana- AKBARPUR District- Nawada

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DABLU RAJWANSHI S/O SUKHARI RAJWANSHI R/O VILLAGE-
PACHGAWAN, P.S.-AKBARPUR, DISTRICT-NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Permanand Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Akbarpur PS case no. 188 of 2021 instituted for the offences punishable under Sections 420, 467, 468, 471 of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1990.35 liters of illicit foreign liquor from a truck and the petitioner is stated to be the driver of the said truck.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 22.03.2021. The learned counsel for the petitioner has further submitted that the petitioner is merely the driver of the said truck in question, as such, he was not knowing about the contents of the consignment loaded on the said truck, inasmuch as he was only aware that stone chips had been loaded on the said truck. The learned counsel for the petitioner has further submitted that the petitioner is not the owner of the truck in question.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the fact that the petitioner is said to be merely the driver of the said truck in question, is having a clean antecedent and is languishing in custody since 22.03.2021, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be



released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional District & Sessions Judge II-cum-Special Judge, Nawada in connection with Akbarpur PS case no. 188 of 2021.

(Mohit Kumar Shah, J)

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