

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41746 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- KALER District- Jehanabad

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MOHANTO RAJBANSHI @ MOHANTA RAJBANSHI Son of Late Lalatu
Rajwanshi Resident of Mohalla- Sri Chaitanya Colony Ward No.21,
Nawadwip, P.S.- Nawadwip, District- Nadia (W.B.).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath, Adv.

For the Opposite Party/s : Mr.A.G

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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 the

learned APP for the State.

The petitioner seeks regular bail in connection

with Kaler PS case no. 31 of 2021 instituted for the offences

punishable under Section 30(a) of Bihar Prohibition and Excise

Act, 2018.

The allegation is regarding recovery of huge

quantity of illicit 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 06.05.2021. The learned counsel for the petitioner has further submitted that since the petitioner is merely the driver of the said truck in question, he was not aware about the contents of the consignment loaded on the said truck, hence he cannot be saddled with the liability of the recovered illicit liquor.

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 merely the driver of the truck in question, he is having a clean antecedent and is languishing in custody since a long time, 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 Sessions Judge II-



cum-Special Judge (Excise), Jehanabad in connection with
Kaler PS case no. 137 of 2021.

(Mohit Kumar Shah, J)

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