

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43442 of 2021

Arising Out of PS. Case No.-183 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

ANESH KUMAR S/O MOOLCHAND Resident of Dewas, P.S.-
Mahendragarh, District- Mahendragarh (Haryana)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-02-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Purnea Excise C-1 Case No. 183 of 2020 for the offence registered
under Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 1269 litres 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 he is languishing in
custody since 14.10.2020. The learned counsel for the petitioner
has further submitted that the petitioner is not the owner of the
truck and he is merely the driver of the truck in question, hence he
was not having any knowledge about the contents of the



consignment which had been loaded on the said truck.

Per contra, the learned counsel 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 petitioner 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 and moreover he is languishing in custody since a long time apart from having a clean antecedent, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned Special Judge (Excise), Purnea in connection with Purnea Excise C-1 Case No. 183 of 2020.

(Mohit Kumar Shah, J)

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