

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42997 of 2021

Arising Out of PS. Case No.-193 Year-2021 Thana- AURANGABAD TOWN District-
Aurangabad

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SONU KUMAR S/O GAYA PRASAD GUPTA R/O VILLAGE-BHATI
MOHALLA, DALTENGANJ, WARD NO.12, P.S.- DALTONGANJ,
DISTRICT-PALAMU (JHARKHAND).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarva Deo Singh, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-01-2022 Heard the learned counsel appearing for the petitioner and
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Aurangabad Town Thana P.S. Case No. 193 of 2021 for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2018.

The allegation is regarding recovery of 1040 litres of
illicit liquor from a pick up vehicle.

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 17.05.2021. The learned counsel for the
petitioner has further submitted that the petitioner is merely the
driver of the vehicle in question and he is neither the owner nor



he has got anything to do with the 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 petitioner and taking into account the materials available on record as also considering the fact that the petitioner is merely the driver of the vehicle in question and he was not having any knowledge about the contents of the consignment which had been loaded on the said vehicle apart from the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner 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 Additional and Session Judge-II-cum-Special Court, Aurangabad (Bihar) in connection with Aurangabad Town Thana P.S. Case No. 193 of 2021.

(Mohit Kumar Shah, J)

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