

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36755 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- BARUN District- Aurangabad

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Jagdish Singh @ Jagga Son of Labh Singh R/O-Vill- Ratiya ,P.S.- Ratiya
Dist.- Fatehabad (Hariyana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Barun
P.S. Case No. 182 of 2021 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.07.2021.

The allegation against the petitioner is to have in



possession of 648 liters of English wine, was which recovered from a truck bearing Registration no. HR 45B 4465.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is the driver of the alleged vehicle, from where recovery of illicit liquor was made and further, nothing surfaced during the course of investigation, which may suggest, *prima facie*, that petitioner was aware of the illegal consignment of illicit liquor loaded in the truck. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that petitioner is the driver of the alleged vehicle.

Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation, which may suggest that petitioner was aware about the illegal consignment of illicit liquor loaded in the alleged vehicle coupled with the fact that petitioner is a man of clean antecedent, where chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail



in connection with Barun P.S. Case No. 182 of 2021 on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with
two sureties of the like amount each to the satisfaction of
learned Additional District Judge-II-cum-Special Judge Excise,
Aurangabad/concerned Court, subject to the conditions as laid
down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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