

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54998 of 2021

Arising Out of PS. Case No.-39 Year-2021 Thana- PIPRA District- East Champaran

PUSHPINDAR SINGH DHARIWAL @ PUSHPINDRA SINGH DHALIWAL @ HAIRY SON OF SURMUKH SINGH @ SURMUKH SINGH DHALIWAL R/O - HOUSE NO. 72, RAJ GARDEN NARAYAN GARH ROAD, P.S.- PANJOKHARA SAHIB, DISTRICT- AMBALA CITY, PRESENTLY R/O SKY GARDEN, FLAT NO.303 TOWER NO. 08, SECTION 66 (A), SASNAGAR, P.S.- SOHANA, DISTRICT- MOHALI (PUNJAB)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-05-2022 Heard Mr. Mukesh Kumar Jha, learned counsel for the petitioner and Mr. Ram Sevak Choudhary, learned Additional Public Prosecutor for the State.

Petitioner seeks regular bail in connection with Pipra PS Case No. 39/2021 registered for the offence punishable under Sections 272/273 of the IPC and Section 30(a) of Bihar Prohibition & Excise Act 2018.

The police intercepted a truck bearing Registration No. NLO1G-0433 and recovered total quantity of 5869.440 litres of illicit Foreign Liquor.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. Learned counsel further submits that petitioner is not named in the FIR and he has falsely been implicated in this case on the basis of his self inculpatory confessional statement before the police. Next



submission is that no illicit liquor has been recovered from the possession of the petitioner nor the said truck wherefrom recovery has been made belongs to him. Petitioner is not even the driver of the said truck and he is in custody since 17.03.2021.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the possession of the petitioner nor the said truck wherefrom recovery has been made belongs to him, petitioner is not the driver of the said truck and he is in custody since 17.03.2021, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, PUSHPINDAR SINGH DHARIWAL @ PUSHPINDRA SINGH DHALIWAL @ HAIRY be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge-Excise, East Champaran, Motihari in connection with Pipra PS Case No. 39/2021.

(Anil Kumar Sinha, J)

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