

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55632 of 2021

Arising Out of PS. Case No.-574 Year-2021 Thana- AGAMKUAN District- Patna

1. KANWAR SINGH S/o Kailash Chandra R/o Mohalla- Surya Nagar, Gali No. 12, P.S.- City, District- Hisar, Haryana
2. Arvind Ram @ Arvind S/o Late Jagdish Ram R/o Mohalla- Surya Nagar, Gali No. 12, P.S.- City, District- Hisar, Haryana

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-04-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 414, 467, 468, 471 and 120B of the Indian Penal Code and sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 487 litres of liquor was recovered from the truck of which the petitioners were the driver and cleaner.

It is submitted by learned counsel for the petitioners that the petitioners are the driver and cleaner of the vehicle in question. No incriminating article has been recovered from their possession or from the truck in question. They had no



knowledge about the goods loaded. It was on their going for taking bath that behind their back the coconut and the liquor was loaded on the truck. The petitioners are in custody since 22.7.2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and on going through the materials on record including the FIR, it transpires that not only a huge quantity of 487 litres of liquor was recovered from the truck and the two petitioners taken into custody but it also transpires that the documents being carried by the petitioners were forged and the truck itself was a stolen property.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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