

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60212 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- BHAGWANPUR District- Vaishali

1. BAPIDAY @ BAPI DE Son of Late Mahadev @ Hardev De Resident of 13-1K Road, Belgachiya, P.S.- Liliua, District- Howrah (West Bengal).
2. Shubhankar Devnath Son of Shankar Devnath Resident of 67 (H) Road, Belachiya, P.S.- Liliua, District- Howrah (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard.

The petitioners seek regular bail in connection with Bhagwanpur P.S. Case No. 102 of 2021, registered for the offence punishable under sections 420, 467, 468, 471, 120(B), 414 of the Indian Penal Code and Section 30(a), 46, 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of huge quantity of illicit liquor from a truck and the petitioners are stated to be the driver and cleaner of the truck in question.



The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and are languishing in custody since 25.04.2021. The learned counsel for the petitioners has further submitted that since the petitioners are only the driver and cleaner of the truck in question, they were having no knowledge about the contents of the consignment loaded on the said truck, hence, they are having no complicity in the matter.

Per contra, the learned APP 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 parties and taking into account the materials available on record as also considering the admitted fact that the petitioners are the driver and cleaner of the truck in question, hence they were having no knowledge about the contents of the consignment loaded on the said truck apart from the fact that they are having



clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioners, above named, is directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 102 of 2021.

(Mohit Kumar Shah, J)

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