

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60576 of 2021

Arising Out of PS. Case No.-303 Year-2021 Thana- NAUGACHIA District- Bhagalpur

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Ashwani Pandey @ Ashwini Pandey, aged about 63 years, male, Son of Late Gauri Shanker Pande, Resident of Village - Jaruwa, P.S.- Chandrapura, Distt.- Bokaro, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 23-05-2022 Heard the learned counsel for the parties.

The petitioner seeks bail in connection with Naugachiya P.S. Case No. 303 of 2021 instituted for the offences under Sections 30(A) and 32(ii) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The petitioner is stated to be the driver of a truck from where 4339.00 litres of liquor was recovered.

It has been submitted on behalf of the petitioner that on being signaled to stop the vehicle, he never tried to speed away, which is an indication good enough that he did not have any idea about the consignment of liquor loaded on



the vehicle. During raid, the consignment of liquor was found to be concealed in between the bags of compost and fertilizer. It has further been submitted that the petitioner has been earning his livelihood as a driver for last 35 years and has not been made accused in any case of any kind whatsoever.

The petitioner is in custody since 19.08.2021.

Regard being had to the facts afore-stated, the petitioner is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II-Cum-Special Judge (Excise Act)-Cum-Special Judge, Vigilance (Trap Act), Bhagalpur in connection with Naugachiya P.S. Case No. 303 of 2021.

The application stands allowed.

(Ashutosh Kumar, J)

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