

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60845 of 2021

Arising Out of PS. Case No.-134 Year-2021 Thana- JANDAHA District- Vaishali

1. DEEPU KUMAR S/o SHRI NAGENDRA RAM R/o VILLAGE-CHAUHATTA CHHIPI TOLA, P.S-HAJIPUR TOWN, DISTRICT-VAISHALI.
2. CHANDAN CHAUDHARY S/o LATE RAJ KUMAR CHAUDHARY R/o VILLAGE-HAJIPUR PATWA TOLI, P.S-HAJIPUR TOWN, DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-03-2022 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Jandaha P.S. Case No. 134 of 2021 for the offence registered under Sections 414, 272 and 273 of the Indian Penal Code and Section 30(a) of the Excise Act, 2018.

The allegation is regarding recovery of 400 litres of illicit *chulai* liquor from a tempo.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 30.06.2021. The learned counsel for the petitioner has referred to paragraph no. 7 of the present petition to submit that the petitioners do not have any concern with the vehicle in



question, hence they were having no knowledge about the contents of the consignment loaded in the said tempo.

Per contra, the learned counsel 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 learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioners are having no concern with the vehicle in question apart from the fact that they are having a clean antecedent, I deem it fit and proper to direct for release of the petitioners herein on regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 134 of 2021.

(Mohit Kumar Shah, J)

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