

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61725 of 2021

Arising Out of PS. Case No.-153 Year-2021 Thana- MAHESI District- East Champaran

1. SAGAR Son of Rajreer Singh Resident of Village - Kachcha Camp, Aasand Road, P.S.- Model Town, Distt.- Panipat, (Harayana).
2. Pradeep Kumar Son of Ramchandra Singh Resident of Village - Gohana, P.S.- Gohana, distt.- Sonipat, (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-03-2022

Heard.

The petitioners seek regular bail in connection with Mehsi P.S. Case No. 153 of 2021, registered for the offence punishable under sections 420, 406, 484 of the Indian Penal Code and Section 30(a), 36 & 41 (I) of the Bihar Prohibition and Excise Act, 2016.

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 said truck.

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 01.07.2021. The learned counsel for the petitioners



has further submitted that admittedly, the petitioners are not the owner of the said truck, hence, they were having no knowledge about the contents of the consignment loaded on the said truck by the consignee.

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 fact that the petitioners are having a clean antecedent apart from the fact that the petitioners are not the owner of the truck in question and they are languishing in custody since about 9 months, I deem it fit and proper to admit the petitioners to the privilege of regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail- bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned court of Additional Sessions Judge II cum Special Judge, Excise, East Champaran, at Motihari, in connection with Mehshi P.S. Case No. 153 of 2021.

(Mohit Kumar Shah, J)

Tiwary/-

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