

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65993 of 2021

Arising Out of PS. Case No.-164 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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KAMLESH SAH @ KAMLESH KUMAR Son of Ram Vilas Sah Resident of
Village - Makdumpur, Kodariya, P.s.- Karja, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Ms.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner apprehends his arrest in a case registered for the offence under Sections 272, 273, 120B, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 4400 liters of spirit was recovered from a truck, of which, this petitioner was driver.

It is submitted on behalf of petitioner that being driver of the said truck, petitioner had no knowledge about the nature of consignment and he was simply following the instruction of owner. Petitioner has got clean antecedent.

However, learned A.P.P. for the State opposed the bail petition and submitted that huge quantity of spirit has been



recovered from the truck, of which, this petitioner is driver.

Considering the fact that petitioner is driver of the truck, in which, huge quantity of spirit has been recovered, I am not inclined to extend the privilege of anticipatory bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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