

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68698 of 2021

Arising Out of PS. Case No.-230 Year-2021 Thana- PIPRA District- East Champaran

SANJAY Son of - Krishan @ Krishan Kumar Resident of Village- Putthi,
P.S.- Sadar Hisar, District- Hisar (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Pipara P.S. Case No. 230 of 2021 for the offence registered
under Sections 272, 273, 420, 467, 468, 471 and 120(B) of the
Indian Penal Code and Sections 30(a), 32, 41(i) of the Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding the police force having
intercepted a truck and upon search 2214 litres of illicit foreign
liquor was recovered and two persons were arrested from the
spot who are stated to be the driver and the cleaner of the truck
in question.

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 31.08.2021. The learned counsel for the petitioner has submitted that the petitioner is merely the cleaner of the truck in question and he is neither the owner of the truck in question nor the owner of the illicit liquor. It is also submitted that the petitioner was not knowing about the freight loaded on the said truck by the owner of the goods, hence he cannot be saddled with the liability of the illicit liquor recovered from the truck in question.

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 learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is the cleaner of the truck in question and not the owner apart from the fact that he is having a clean antecedent and is languishing in custody since 31.08.2021, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-2nd-cum-Special Judge Excise, East Champaran at Motihari in connection with Pipara P.S. Case No. 230 of 2021.

(Mohit Kumar Shah, J)

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