

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70135 of 2021

Arising Out of PS. Case No.-287 Year-2021 Thana- BARUN District- Aurangabad

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ASGAR ANSARI Son of Md. Ravani Ansari Resident of Village - Bariyatu
(Lawarapur), P.S.- Govang, Distt.- Latehar (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard.

The petitioner seeks regular bail in connection with Barun P.S. Case No. 287 of 2021, registered for the offence punishable under sections 420, 120B, 34 of the Indian Penal Code, section 30(f), 33 and 34 of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 1836 liters of spirit from a truck and two persons were arrested from the truck in question including the petitioner herein. It is alleged that the petitioner is the driver 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 is languishing in custody since 06.09.2021. The learned counsel for the petitioner has



further submitted that since the petitioner is the driver of the truck in question, he was having no knowledge about the contents of the articles loaded on the truck, hence, he cannot be saddled with the liability of the illicit liquor recovered from the said truck.

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 petitioner is merely the driver of the truck in question, apart from the fact that he is having a clean antecedent and is languishing in custody since 6.9.2021, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional District and Sessions Judge cum Special Judge, Aurangabad, Bihar in connection with Barun P.S. Case No. 287 of 2021.

(Mohit Kumar Shah, J)

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