

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17172 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- WARISNAGAR District- Samastipur

Suvash Sah @ Suvash Saw Son Of Late Sahdev Saw R/O Village - Badipur,
Chiraura, P.S.- Naubatpur, District - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 183 litres of I.M.F.L. from a mini truck bearing Reg. No. BR-01GB-9808. Petitioner is alleged to be driver of aforesaid mini-truck.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the



alleged recovery and the said truck was hired by the TCI manager (co-accused), namely, Balwan Singh for delivering the good the consignees. The petitioner was not aware with the nature of goods loaded in the aforementioned mini truck. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 19.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise



Court-II, Samastipur in connection with Waris Nagar
P.S. Case No. 23 of 2023.

(Sunil Kumar Panwar, J)

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