

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58278 of 2023

Arising Out of PS. Case No.-482 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Jagbindra Kumar @ Jagbindar Kumar, S/o Suresh Kumar, Resident of Village
and P.S.-Chhawala Gaon New Delhi, District South West Delhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Patel, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Mohania P.S. Case No. 482 of 2023, registered for the alleged offence under Sections 414, 420 of the Indian Penal Code and Sections 30 (a)/ 47 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, during checking of vehicles in anti-liquor drive, a car was intercepted and its driver was apprehended due to his suspicious activities. On search of the said car, 120 liters of India made foreign liquor was recovered. The petitioner is the apprehended person, who disclosed that he was smuggling the liquor at the instance of co-accused Sonu Panchal and the car in which he was driving



appeared to be stolen one.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioner. The petitioner is the driver of the car and he is in custody since 11.07.2023. The petitioner is having clean antecedent. The charge sheet has been submitted.

5. Learned A.P.P. opposes the submissions made on behalf of the petitioner.

6. Perused the record.

7. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that the petitioner is said to be the driver and further considering the submission of charge sheet, the period of custody of the petitioner along with his clean antecedent, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise No.1-cum-Additional District and Sessions Judge-IV, Kaimur at Bhabua, in connection with Mohania P.S. Case No. 482 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be the parents of the



petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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