

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60377 of 2022

Arising Out of PS. Case No.-341 Year-2022 Thana- BHAGWAN BAZAR District- Saran

BIPIN KUMAR S/O BHAGWAN MANJHI Resident of Village- Chhota
Telpa, P.S.- Chapra Town, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-02-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection with Bhagwan Bazar PS case no. 341 of 2022 instituted for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding the police force having apprehended a TATA Sumo Gold vehicle and upon search, 350 liters of illicit countrymade liquor was recovered and the petitioner, who is alleged to be the driver of the said vehicle, was apprehended from the spot.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in



the present case, he is having a clean antecedent and is languishing in custody since 10.07.2022. The learned counsel for the petitioner, by referring to paragraphs no. 6 and 7 of the present petition, has further submitted that the petitioner is merely driver of the said car, as such he was not having any knowledge about the contents of the consignment which had been loaded in the said vehicle, thus he cannot be saddled with the liability of the illicit liquor, recovered from the said vehicle.

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 parties and taking into account the materials available on record as also considering the fact that the petitioner is merely the driver of the vehicle in question, is having a clean antecedent and is languishing in custody since 10.07.2022, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like



amount each to the satisfaction of learned court of Additional District and Sessions Judge, IInd-cum-First Exclusive Special Judge, Excise, Saran at Chapra in connection with Bhagwan Bazar PS case no. 341 of 2022.

(Mohit Kumar Shah, J)

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