

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67236 of 2022**

Arising Out of PS. Case No.-271 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

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DEVENDRA SINGH @ DAVINDRA SINGH @ DAVENDER SINGH Son
of Late Man Singh Resident of village - Jind, Bhatnagar Colony, Rohtak
Road, P.S.- Jind, District - Jind (Haryana), Pin - 126102

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the

petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Town P.S. Case No. 271 of 2022,
for the offence registered under Section 120(B) of
the Indian Penal Code and Sections 30(a) and 32(2)
of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of
1604.475 litres of illicit liquor from a truck and the
petitioner is stated to be the driver of the said
truck.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, he has
been falsely implicated in the present case and he



is languishing in custody since 11.05.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused only in one another case but he is on bail in the said case. The learned counsel for the petitioner has also submitted that since the petitioner is driver of the truck in question, he was not aware of the consignment loaded on the said truck, hence the petitioner cannot be saddled with the liability of the illicit liquor recovered from the truck in question.

Per contra, the learned A.P.P. 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 period of incarceration of the petitioner herein, apart from the fact that the petitioner is merely the driver of truck in question, I deem it fit and proper to admit the petitioner to the privilege of 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 Exclusive Excise Judge-I, Begusarai in
connection with Town P.S. Case No. 271 of 2022.

(Mohit Kumar Shah, J)

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