

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71864 of 2022

Arising Out of PS. Case No.-194 Year-2022 Thana- KHAJAULI District- Madhubani

NAND KISHORE SINGH @ NANDU Son of Nathuni Singh @ Bhutai
Singh R/o Sukki, Ward No. 11, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP,84

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Khajauli PS case no. 194 of 2022 instituted for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 90 liters of illicit liquor from a Swift Desire car which was being driven by the petitioner.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 12.10.2022. The learned counsel for the petitioner has further submitted that the petitioner is accused in one other case but he is on bail in the



said case. It is also submitted that the petitioner is merely the driver of the vehicle in question and as such, he was not having any knowledge about the consignment loaded on 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 not the owner of the vehicle in question and is languishing in custody since more than 03 months, 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 A.D.J. II-cum-Special Judge, Excise Act, Madhubani in connection with Khajauli PS case no. 194 of 2022.

(Mohit Kumar Shah, J)

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