

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71200 of 2022

Arising Out of PS. Case No.-597 Year-2022 Thana- DAUDNAGAR District- Aurangabad

1. DINESH RAY SON OF BRAHAMDEO RAY R/O VILLAGE- LITIYAH, WARD NO.06, (RAHIMPUR), P.S.- GANGA BRIDGE, DISTRICT- VAISHALI, BIHAR
2. SARNAM SINGH SON OF RAMSHANKAR R/O VILLAGE- BAIJA MAU, P.S.- SIKANDRA, DISTRICT- KNAPUR DEHAT, UTTAR PRADESH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

The petitioners seek regular bail in connection with Daudnagar PS case no. 597 of 2022 instituted for the offences punishable under Sections 420/34 of the Indian Penal Code and Sections 30(a), 32, 36, 41 of Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of huge quantity of illicit liquor from a truck and the petitioners are stated to be the driver and co-driver of the said truck.

The learned counsel for the petitioners submits



that the petitioners are innocent, have been falsely implicated in the present case, they are having clean antecedent and are languishing in custody since 28.10.2022. The learned counsel for the petitioners has further submitted that since the petitioners are merely the driver and co-driver of the truck in question and they were not aware of the consignment having been loaded on the said truck, hence, the petitioners have got no complicity in the matter.

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 petitioners are not the owners of the truck in question and are merely the driver and co-driver and they are having clean antecedent, I deem it fit and appropriate to admit the petitioners 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 Special



Judge, Excise-II, Aurangabad in connection with Daudnagar
PS case no. 597 of 2022.

(Mohit Kumar Shah, J)

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