

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73612 of 2022

Arising Out of PS. Case No.-696 Year-2022 Thana- SHERGHATI District- Gaya

Navjot Singh S/O Prem Singh R/O Mohalla- Arwan State Labour Colony
Batala, P.S- Arwan State Chauki (Civil Lines), District- Gurdaspur (Punjab)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sherghati P.S. Case No. 696 of 2022 registered under sections 30(a), 32(ii), 41(i) (ii) of the Bihar Prohibition and Excise Act, 2018 and Sections 420, 467, 465, 471 and 34 of IPC.

As per prosecution case, the informant along with other police personnel were on patrolling duty and on confidential information, they intercepted a truck bearing Registration No. NL-01Q-2120 driven by petitioner. On search, there is recovery of total 3780 liters of English Liquor contained in 5040 bottle in 420 cartoons along with mobile and cash. The petitioner was apprehended on spot with the said vehicle which was being driven by him.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern with the seized liquor rather he was only the driver of the alleged truck. There is no proper compliance of Section 100 of the Cr.P.C. as both the witnesses are police personnel. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 07.08.2022.

The application for bail is opposed by learned APP for the State and submitted that the petitioner was arrested on spot by the police with the said truck from where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 80,000/- (Rs. Eighty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sherghati P.S.



Case No. 696 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, Gaya.

The bail bonds of the petitioner shall be accepted by the learned Court below on showing the receipt of deposit of Rs. 80,000/- (Rs. Eighty Thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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