

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73664 of 2022

Arising Out of PS. Case No.-723 Year-2022 Thana- SHEKHPURA District- Sheikhpura

TAPAN KUMAR RAO Son of Jageshwar Rao R/V- Karma, P.S- Taljhari,
Dist- Dumka (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Sheikhpura P.S. Case No.723 of 2022, registered for the offence punishable under Section 414 of the Indian Penal Code and Sections 30(a)/ 32/ and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 178.875 litres of illicit foreign made liquor from a Scorpio vehicle, which was being driven by the petitioner.

The learned counsel for the petitioner has submitted 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 21.11.2022. The learned counsel for the



petitioner has further submitted that the petitioner is merely the driver of the vehicle in question, hence, he was not knowing about the consignment loaded in the truck, thus, he is not having any 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 petitioner 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, apart from the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Sheikhpura in connection with Sheikhpura P.S. Case No.723 of 2022.

(Mohit Kumar Shah, J)

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