

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1430 of 2023

Arising Out of PS. Case No.-206 Year-2021 Thana- MANIGACHI District- Darbhanga

KULDEEP @ KULDEEP SHARMA @ KULDEEP BHARDWAJ SON OF
BHAGIRATH SHARMA R/O FLAT NO.40/1-A2, BLOCK
DHARMAPURA, NAJAFGARH, P.S.- NAJAFGARH, DISTRICT- SOUTH
WEST DELHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 4293
litres of I.M.F.L. from a truck bearing registration
number BR-06GB-1698. Two persons were
apprehended. It is further alleged that petitioner has
handed over the said truck to the apprehended persons
and asked them to carry to Darbhanga.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 14.10.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each



to the satisfaction of the learned Special Judge Excise
No. 2, Darbhanga in connection with Manigachhi P.S.
Case No. 206 of 2021.

(Sunil Kumar Panwar, J)

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