

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75421 of 2023

Arising Out of PS. Case No.-246 Year-2022 Thana- DAUDNAGAR District- Aurangabad

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Anup Singh, aged about 43 years, Male Son of Jai Singh, Resident of Village
- Kasomdi, Tahsil- Khampur Kola Gahna, P.S.- Khanpur, District- Sonipat,
(Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Daudnagar PS Case No. 246 of 2022 instituted for the offences
punishable under Sections 467, 468, 471, 334 of the Indian
Penal Code and Sections 30(a), 32(3), 41(1) of the Bihar Excise
and Prohibition Act.

3. As per the prosecution case, total 2569.440 liter
foreign liquor have been recovered from a truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent has committed no offence and has falsely



been implicated in this case on the basis of suspicion. He further submits that no incriminating articles have been recovered from the conscious possession of the petitioner. Petitioner is only a helper/Khalasi of the said truck and has no knowledge about the contents of the material loaded on the truck. The seized vehicle and illicit liquor does not belongs to the petitioner and he has no role in this case.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Special Judge Excise-II, Aurangabad dated 12.06.2023, it appears that petitioner is named in the FIR and there is no specific allegation against the petitioner and he has got clean antecedent. Similarly situated co-accused persons namely Baljeet Singh and Sanjiv Jha @ Sanjiv Kumar @ Sujiv Jha @ Sanjiv Kumar Jha, have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. Nos. 57288 of 2022 and 69156 of 2022 vide order dated 25.11.2022 and 08.02.2023 respectively. Petitioner is in custody since 09.05.2022, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special



Judge Excise-II, Aurangabad in connection with Daudnagar PS
Case No. 246 of 2022.

(Ramesh Chand Malviya, J)

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