

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76776 of 2024

Arising Out of PS. Case No.-539 Year-2023 Thana- SAHPUR District- Bhojpur

Harjeet Singh Son of Kahan Singh Resident of Village - House No. 143,
Fattehullahpur, P.S. Dhanaura, District - Amroha, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dilip Kr. No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 12-11-2024 Heard learned counsel for the petitioner and Mr. Dilip Kr. No. 1, learned Additional Public Prosecutor for the State.
2. The petitioner apprehends his arrest in a case registered for the offence punishable u/s 419/ 420/ 467/ 468/ 471/ 120(B) of IPC and 30(a)/ 32(1)(2)/ 36/ 41(1)(2) of Bihar Prohibition and Excise Amendment Act, 2018.
3. As per prosecution case, a six tyre DCM truck having registration no. UP19T7750 coming from Buxar towards Shahpur was hit by an unknown vehicle due to which the truck was completely crashed and two persons namely Anam and Arish boarding on the truck were seriously injured and died in course of treatment. Thereafter the goods loaded on the truck was covered with tarpaulin and chowkidar was deputed to guard the same. On 24.11.2023, one Wajid Ali and Anish came and inspected the truck



and the goods and they claimed that one Taslim is the owner of AM Foods in which Wajid and Anish are shareholders and they run a company of Grease bucket in Haridwar and the truck which met with accident was booked by AM Foods for transportation of parts of rice company and 185 grease bucket super 50 of New Rahul auto agency in Andhra Pradesh and Muzzaffarpur. Thereafter, they stated that one Amish Tyagi, partner of both company will arrive with one DCM truck bearing registration no. UP23AT2554 for loading the goods kept on the accidental truck. Thereafter, on 25.11.2023, Amish Tyagi arrived at the site and demanded the goods to be loaded in his truck from accidental truck. Thereafter, the police party reached there for handing over the same. In course of unloading the articles from the accidental truck, alcohol like smell came from the grease written bucket. On search, three persons namely Wajid Ali, Ashish Tyagi and Md. Anish were apprehended and they narrated their involvement in the syndicate of business of liquor. Allegedly, a six wheeler DCM having registration no. UP19T7750, one blue colour Maruti Suzuki having registration no. UP17X7501 and one DCM bearing registration no. UP23AT2554 and 1679.520 liters of foreign liquor, mobile, paper related to AM Foods company and other papers were recovered.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, and the fact that no incriminating article has been recovered from petitioner’s truck bearing registration no. UP23AT2554, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Shahpur P.S. Case No.539 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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