

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50845 of 2017

Arising Out of PS.Case No. -435 Year- 2016 Thana -SONEPUR District- SARAN

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1. Ekalash Son of Hashan @ Kasib, R/o Mohalla- Bichhor, P.S.- Indrana,
District- Nohu (Hariyana) Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar Tiwary, Adv.

For the Opposite Party : Mr. A.K. Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 06-12-2017 Heard both sides.

The petitioner seeks bail in Sonapur P.S. Case No. 435 of 2016 registered under Sections 272, 273, 420 and 120B of the Indian Penal Code and 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The petitioner is the driver of the truck, bearing registration no. BJ-02GB-1087 and from the truck huge quantity of Indian made foreign liquor was recovered.

The learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order, dated 18.05.2017, passed in Cr. Misc. No. 14940 of 2017, other accused persons, including Mousham cleaner of the truck, have already been enlarged on bail. The petitioner is in jail since 23.11.2016. The petitioner has already remained in jail for more than a year. It has been submitted that it was the owner of the truck, who asked the petitioner to carry the assignment and petitioner had no knowledge about the consignment kept in the truck and owner of the truck has already been enlarged on bail.

Considering the facts, aforesaid, and the fact that the



petitioner remained more than one year in jail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Sonepur P.S. Case No. 435 of 2016** to the satisfaction of the **Additional Sessions Judge, VI, Saran at Chapra**, subject to the conditions that one of the bailors shall be local resident having substantial immovable property within the jurisdiction of the Court and another shall be a close relative of the petitioner.

(Prabhat Kumar Jha, J)

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