

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26688 of 2017**

Arising Out of PS.Case No. -33 Year- 2017 Thana -BHAGWANPUR District-  
VAISHALI(HAJIPUR)

=====

1. Kalam Son of Islam, Resident of Village- Bichhor, P.S.- Punhana,  
District- Nuhu, Haryana.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kaushal Kishor

For the Opposite Party/s : Mr. Sri Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      30-06-2017              The petitioner seeks regular bail in connection with  
  
Bhagwanpur P.S. Case No. 33 of 2017, registered for offences  
  
punishable under Section 30(a), 32(ii), 38, 41(ii) of Bihar Excise  
  
Act, 2016.

Allegation against the petitioner is of recovery of huge  
  
quantity of liquor.

It has been submitted on behalf of the petitioner that  
  
petitioner happens to be the driver of vehicle from which alleged  
  
recovery has been made, however, he had no knowledge that in  
  
the said vehicle liquor has been loaded. Further F.I.R itself shows  
  
that the seized liquors belonged to Tribhvan Sahni and other.  
  
Petitioner has been in judicial custody since 28.02.2017.

Heard learned A.P.P. also.



Having heard both sides, no doubt in this case, huge quantity of liquor has been recovered but the petitioner is driver of the truck and has remained in custody for more than four months, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No. 33 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.



It is also made clear that if the petitioner again found involved in any of such offence, in future, his bail bonds will be cancelled.

**(Vinod Kumar Sinha, J)**

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