

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.72756 of 2018**

Arising Out of PS. Case No.-185 Year-2018 Thana- SIDHWALIYA District- Gopalganj

Harjinder Singh @ Harjind Singh, Son of Kashmir Singh Resident of  
Village- Hasanpur, P.S.- Ajnala, District- Amritsar (Punjab).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Sri Binod Kumar (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2     11-12-2018                      Heard learned counsel for petitioner and learned  
counsel for the State.

Petitioner, who is in custody, seeks bail in  
connection with Sidhwaliya P.S. Case No. 185 of 2018  
registered for the offences punishable under Sections 30(A), 38,  
41 of the Bihar Prohibition and Excise Act, 2016 and under  
Section 120 (B) of the Indian Penal Code.

Allegation against petitioner is recovery of 3252.96  
liters of country made English wine from a truck which was  
driven by the petitioner.

It has been submitted on behalf of the petitioner  
that he is innocent and has committed no offence. He has been  
falsely implicated in this case. Petitioner is driver of the truck  
and was not aware that liquor was kept in the



Truck. He was engaged to drive the Truck from Panipat to Samastipur on payment by the Truck owner. Petitioner has no criminal antecedent and is in custody since 20.09.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge-cum-special Judge, Excise, Gopalganj, in connection with Sidhwaliya P.S. Case No. 185 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

**(S. Kumar, J)**

Rajiv/Manoj

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