

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72743 of 2018

Arising Out of PS. Case No.-214 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

Sanjiv Kumar aged about 28 Years, S/o Late Krishna Kumar, R/o Village
Sitamai P.O.- Sitamai, P.S. Nissing, District- Karnal, (Haryana).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Sinha, Advocate
For the Opposite Party/s : Mr. Sri Surendra Prasad Singh (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 Excise Case No. 214 of 2018 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

Allegation against petitioner is recovery of
1545.120 liters of foreign liquor from the Tata Container
Truck.

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. It has been submitted that
petitioner is driver and along with illegal liquor several cartoons



of English medicines were also loaded on the said truck and he was not aware that illicit liquor has also been kept on his truck. He has no criminal antecedent and is in custody since 02.10.2018.

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 Additional Sessions Judge-II-cum- Special Judge, Excise, Gopalganj, in connection with Excise Case No. 214 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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