

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61385 of 2018

Arising Out of PS. Case No.-241 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

1. Rajesh Kumar son of Rampul Gurjar, Resident of Village- Devri Sarai, P.S.- Manpur, District- Gausa, Rajasthan.
2. Narendra son of Sohan Lal, Resident of Village- New Court Ghaziabad, P.S. Kotwali, District Ghaziabad, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 01-11-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners, who are in custody, seek bail in connection with Kuchaikot P.S. Case No. 241 of 2018 registered for the offence punishable under Sections 30(a), 30(b), 30(c), 38, 41(a) and 41(b) of Bihar Prohibition and Excise Act, 2016.

Allegation against petitioners is of recovery of 2111.600 litres of foreign liquor from the secret cabin which was constructed behind the driver seat of the truck.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Petitioners are the driver and the cleaner of the truck. Petitioners are professional driver and cleaner and they have no



knowledge about consignment of liquor concealed in the truck.
Petitioners have no criminal antecedent and they are in custody since 06.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each 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 Kuchaikot P.S. Case No. 241 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioners 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 petitioners.

(S. Kumar, J)

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