

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31410 of 2018

Arising Out of PS. Case No.-179 Year-2017 Thana- KISHANGANJ District- Kishanganj

Gurmit Singh S/o Mangal Singh, R/o H. No. 15 Onkar Vihar Ward No. 13 Ludhiyana Tehsil, P.S.- Ludhiyana , District Ludhiyana Permanent address Ward No. 13 Near Blooming Flower School Onkar Vihar Colony Jamalpura-Awana Ludhiyana Fosal Point , P.S.- Ludhiyana , District- Ludhiyana Punjab.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 22-05-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in connection with **Kishanganj P.S. Case No. 179 of 2017** registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Informant is the A.S.I who in his written report submitted before the Officer-in-charge, Kishanganj, has stated that he was on patrolling duty on 13.04.2017, and on receiving secret information started checking the vehicles and one truck bearing no. PB 11 BY 4465 coming from the side of Panjipara was stopped and during search 265.650 litres of foreign liquor was recovered.



It has been submitted on behalf of the petitioner that the petitioner has been falsely implicated in this case. It has further been submitted that the petitioner is the owner of the truck and is having all the valid papers of the truck. Petitioner is living in Punjab and with consultation from transporters, he used to provide his vehicle for carrying goods. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional District and Sessions Judge-II cum Special Judge (Excise), Kishanganj** in connection with **Kishanganj P.S. Case No. 179 of 2017**, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following 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 present on each and every date fixed by the



court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(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.

(S. Kumar, J)

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