

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27929 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -KUCHAIKOTE District- GOPALGANJ

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Sandip Kumar, Son of Late Yogendra Singh, Resident of Jaleshwar Road,
Lal Singh Chouki, P.S.-Devrahi, District-Firojabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-18 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kuchaikote
P.S. Case No. 25 of 2018 for offences punishable under Sections
272, 273, 188, 420 of the Indian Penal Code and Section 38, 41 (i)
(ii) 30 (a) (b) (c) 30 of the Bihar Excise Prohibition Act, 2016.

The prosecution case, as lodged by the police official, is
that on secret information a truck was intercepted and on search
3615 liters of foreign wine was recovered from the said truck. The
petitioner was the driver of the truck who disclosed that the truck
belonged to one Angrez Singh of Amritsar Punjab. Accordingly, a
seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history, being the driver of the truck did not know that the truck contains illicit liquor and being an uneducated person did not even know that in the State of Bihar, there was prohibition as he belongs to Devrahi Firojabad and not Bihar. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 27.01.2018.

However, learned APP for the State opposes the prayer for bail stating therein that huge consignment of illicit foreign liquor was recovered from the truck.

Be that as it may, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Session Judge-cum- Special Judge, Excise Gopalganj, in connection with Kuchaikote P.S. Case No. 25 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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