

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14089 of 2019

Arising Out of PS. Case No.-392 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

SANDIP SINGH Son of Krishna Singh @ Shri Krishan Resident of Village -
Gadhi Sisana, P.S.- Kharkhoda, District - Sonipath (Haryana)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu
For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 30.12.2018 in connection with Kuchaikote P.S. Case No. 392 of 2018 for offences punishable under Sections 420, 467, 468, 414 of the Indian Penal Code & Sections 30(a) (b) (c), 38, 41(a)(b) of the Bihar Prohibition & Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that during vehicle checking they intercepted a container truck and apprehended the driver and khalasi, namely, Parmohit and Rahul, who revealed the name of the petitioner and others involved in the trade of illicit liquor. On search 3456.720 litres of Indian made foreign liquor was recovered from the said truck. 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, nothing has been recovered from his conscious possession and he was not apprehended at the place of occurrence. He further submits that it is only on the basis of confessional statement that the petitioner has been made accused and other co-accused, who have been named by the apprehended co-accused, have already been granted the privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 9221 of 2019 vide order dated 26.02.2019 and Cr. Misc. No. 13554 of 2019 vide order dated 06.03.2019.

However, learned APP for the State opposes the prayer for bail stating therein that huge consignment of illicit liquor was recovered and the name of petitioner surfaced.

Considering the nature of allegations and the materials on record and the fact that on similar allegations other co-accused have already been granted the privilege of bail, 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 Addl. Sessions Judge cum Special Judge (Excise), Gopalganj, in connection with Kuchaikote P.S. Case No. 392 of 2018, subject to the



following conditions :

1. Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
2. Petitioner shall cooperate 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.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

