

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22430 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

SUNIL KUMAR, aged about 32 years, Male, Son of Ranbir Singh, Resident
of Village - Lathsadh Dighal, P.S.- Dighal, District - Jhajjar (Haryana)
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Arbind Kumar Singh, Adv.

For the Opposite Party : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-04-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
12.01.2019 in connection with Kuchaykote P.S. Case No. 11 of
2019 for the offences alleged under Sections 420, 467, 468 and
414 of the Indian Penal Code and under Sections 30(a)(b)(c), 38
and 41(a)(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that during vehicle checking a truck was stopped,
the petitioner, being the driver, tried to flee away, but, was
apprehended. On search of the truck, under the paddy husk,
1926.720 liters of Indian made foreign liquor was recovered.
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, did not



know that the illicit liquor was concealed in the truck was just the driver neither the owner of the truck nor the owner of the illicit liquor. It is, further, submitted that petitioner is languishing in judicial custody since nearly three months.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioner does not bear a criminal antecedent, as stated in paragraph 3 of the present application, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Kuchaykote P.S. Case No. 11 of 2019 to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise, Gopalganj, or the successor Court 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)

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