

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46284 of 2019

Arising Out of PS. Case No.-354 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

Dharam Singh, Son of Ram Singh, Resident of Village - Banur, P.S.- Banur,
District- Patiala (Punjab)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 14-10-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 25.11.2018 in connection with Kuchaikote P.S. Case No.354 of 2018 registered for the offence under Sections 30(a)(b)(c), 38, 41(a) (b) of the Bihar Prohibition and Excise Amendment Act, 2016.

Learned counsel for the petitioner submits that the petitioner is the Driver of the Vehicle in question, which was apprehended with huge cache of spirit hidden under the bags of goods etc. Learned counsel further submits that the petitioner is neither the Khalasi nor the owner of the said truck and has just been engaged for driving the vehicle in question. It is further submitted that when he was arrested



near the check-post, he had not given any confessional statement, rather he was made to sign on a plain paper, which has no evidentiary value. It is further submitted that whatever investigation has revealed, the petitioner has not involved in any such activity and the truck was moving from Punjab to Nepal and as the Driver of the vehicle, he has no concern with the articles which were loaded in the truck.

Considering the aforementioned facts and circumstances and that the petitioner has got no criminal antecedents, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-Cum-Special Judge, Excise Act, Gopalganj, in connection with Kuchaikote P.S. Case No.354 of 2018.

(Anjana Mishra, J)

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