

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85654 of 2019

Arising Out of PS. Case No.-355 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Dilip Kumar @ Dalip Kumar Son of Nathu Ram Resident of Village -
Rajpura, House No. 79, P.S.- Neelpura, Distt - Patiyala, (Punjab), -140401

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
10.10.2019 in a case registered for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise Act, 2016
as amended by Amendment Act 8 of 2018.

The prosecution case is that the petitioner being the
driver of a truck was carrying 4536 litres of Indian Made
Foreign Liquor.

It is submitted by learned counsel for the petitioner
that the petitioner was not aware about the articles being loaded
on the truck as the driver usually is not being conveyed by the
transporting agency about the articles being loaded on the truck.



A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from a truck which was being driven by the petitioner.

Considering the period under custody and investigation being already concluded, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released 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 Additional District & Sessions Judge-II, Gopalganj in connection with Excise Case No. 355 of 2019.

(Dinesh Kumar Singh, J)

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