

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68583 of 2023

Arising Out of PS. Case No.-391 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Sunil Kumar Son Of Raj Kumar Resident Of Jasveer Colony, Nurwala, Ward No.2, Kila Chauki, Tasil Camp, Police Station - Sadar, District - Panipat (HARYANA)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Kuchaikote P.S. Case No. 391 of 2023 registered on 26.10.2022 lodged under Sections 30(a), 32(2) and 41(i) of the Bihar Prohibition and Excise Act (Amendment), 2018.

3. As per the prosecution case, total recovery of 10656.36 litre of wine has been the subject matter of this case

4. Counsel for the petitioner submits that the container truck in which illicit liquor was found was being driven by the petitioner. Counsel submits that petitioner was totally unaware of what was loaded on the truck. He is a professional driver. Upon instruction of his owner, he drove the truck as he was



directed to reach at a specified destination.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 29.07.2023 having one criminal case pending against him, in which he is on bail.

6. Learned counsel for the State opposes the prayer for bail and submits that a huge quantity of wine has been recovered and petitioner was driving the vehicle.

7. In the present facts and circumstances of this case However, the trial Court is directed to release the petitioner on bail by imposing its own condition so that the petitioner may not evade appearance during the trial, if he renews his prayer for bail after framing of charge.

8. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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