

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51657 of 2016

Arising Out of PS.Case No. -448 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Gurudas Sarkar, S/o Thakur Das Sarkar, Resident of Village- Sariyam, P.S.-
Rajganj, District- Jalpaiguri West Bengal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
24.09.2016 in connection with Begusarai Town (Ratanpur) P.S.
Case No. 448 of 2016 registered for the offence punishable under
Sections 54 and 57 of the Bihar Excise (Amendment) Act,2016.

The prosecution case, as lodged by the police
personnel, is that on secret information, they intercepted Bolero
vehicle and confiscated about 44 litres of foreign liquor from the
said vehicle driven by the petitioner. Petitioner on being
apprehended, disclosed the name of three ladies, who had
implanted the foreign liquor to be carried from Begusarai to
Assam.



It has been submitted by the learned counsel for the petitioner that he is innocent and he is just the driver of the said vehicle and that nothing has been recovered from his conscious possession. It has further been submitted that the petitioner has no criminal history and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the petitioner has no criminal history and that charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Town (Ratanpur) P.S. Case No. 448 of 2016.

(Nilu Agrawal, J.)

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