

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39742 of 2018

Arising Out of PS. Case No.-28 Year-2018 Thana- GARMDAGA District- Kishanganj

Mahadev Barman S/o Sukumar Barman, R/o Vill.- Takimari Asharam Para
Ward No. 16, P.S.- Siliguri, Distt.- Darjeeling (W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 14.05.2018 in connection with Special Case No. 138 of 2018 arising out of Garbandanga P.S. Case No. 28 of 2018 registered for the offence punishable under Section 30 (a), of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. Learned counsel for the petitioner further submits that petitioner is in custody in connection with seizure of 811 liters of foreign liquor. Counsel for the petitioner submits that the liquor was seized from the Tata 407 vehicle. He submits that petitioner is neither owner nor driver of the said vehicle. He submits that petitioner is a



vegetable vendor and he has no concern with the seized liquor, he is not involved in the business of liquor. Petitioner is in custody in this case since 14.5.2018.

Considering the fact that petitioner has no criminal antecedent has remained in custody in this case for more than 1 ½ months, let the petitioner named above is directed to be released on bail after 14.7.2018 on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional District & Sessions Judge II-cum- Special Judge, Excise Act, Kishanganj in connection with Special Case No. 138 of 2018 arising out of Garbandanga P.S. Case No. 28 of 2018.

(Anil Kumar Upadhyay, J)

banti/-T.Kr.

U		T	
---	--	---	--

