

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34600 of 2018

Arising Out of PS.Case No. -212 Year- 2018 Thana -KISHANGANJ District- KISANGANJ

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1. Ujjal Mallik @ Ujjawal Mallik Son of Late Sachindra Mallik, Resident of Khairamare, P.S. Bongaon, District North 24 Pragana, West Bengal.
 2. Sushanta Nath @ Sushanto Nath Son of Late Akshaya Nath, Resident of Dharmmapukuria, P.S. Bongaon, District North 24 Pragana, West Bengal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Satyabir Bharti

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 21-06-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

1225 cartons each loaded in two trucks were seized and the petitioners who happen to be drivers-cum-owners of the aforesaid trucks were apprehended.

It is submitted by learned counsel for the petitioners that aforesaid liquor was to be transported from United Breweries Limited, Kalyani to West Bengal State Beverages Corporation



Limited, Siliguri via NH 34 and the petitioners were also transporting the said truck via NH 34. Though there is slight diversion towards Kishanganj which falls in the State of Bihar, but ultimately the said route also merges with NH 34. Thus, the petitioners have also not made any violation of the route of permit. Moreover the aforesaid consignment has also been released in favour of its owner vide order of the Excise Commissioner, Bihar. They have no criminal antecedent. They have been languishing in custody since 25.03.2018.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-II cum Special Judge, Excise, Kishanganj in connection with Kishanganj P.S. Case No. 212 of 2018 (Special Case No. 72 of 2018).

(Prakash Chandra Jaiswal, J)

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