

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36882 of 2018

Arising Out of PS. Case No.-290 Year-2018 Thana- KISHANGANJ District- Kishanganj

Subroto Basak, Son of Late Sadhan Basak @ Sadhna Basak, Resident of
Village- Nepalgarh Colony, Police Station- Kishanganj, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Raj Kumar, Advocate
For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-06-2018 Heard Sri Raj Kumar, learned counsel for the
petitioner and learned Additional Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph no. 3 of the petition, apprehending his arrest in connection with Spl. Case No. 115 of 2018 (arising out of Kishanganj P.S. Case No. 290 of 2018) , registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

By way of referring to the F.I.R., learned counsel for the petitioner submits that vaguely petitioner has been made accused as if some of the local persons noticed that petitioner along with one person throwing motorcycle fled away and from the said motorcycle one bottle containing 750 ML of Royal



Stage Whiskey and 3 bottles of Officer's Choice Whiskey containing 180 ML each was shown to be recovered. It has been argued that vaguely petitioner has been made accused as it has not been indicated as to who was the person who disclosed the name of petitioner in the F.I.R.

Be that as may, considering the nature of accusation and clean antecedent of the petitioner, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Subroto Basak be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge – II- cum- Spl. Judge (Excise), Kishanganj / concerned court in connection with Spl. Case No. 115 of 2018 (arising out of Kishanganj P.S. Case No. 290 of 2018) subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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