

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11910 of 2020**

Arising Out of PS. Case No.-1075 Year-2019 Thana- ARARIA District- Araria

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ABHIJIT DEY SARKAR @ BABAI SARKAR S/o Subal Day Sarkar
Resident of Village- Purba Handavita, P.S.- Khiribari, Distt- Darjling, West
Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 28-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

342 liters of liquor was recovered from a pickup van
of which the petitioner was a driver. The petitioner has stated
on oath that he has got no criminal antecedent.

Considering the nature of allegation and punishment
prescribed under the for the offence alleged, in my view, the
petitioner should be released only after framing of the charge.
Hence, let the petitioner, above named, be released on bail **after
framing of the charge** on furnishing bail bond of Rs.20,000/-



(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Araria (R.S.) P.S. Case No.1075 of 2019, corresponding to Special Case No.1651 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

The trial Court is directed to expedite framing of the charges so that the trial is not hamper.

(Birendra Kumar, J)

Mkr./-

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