

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22601 of 2021**

Arising Out of PS. Case No.-59 Year-2020 Thana- GALGALIYA District- Kishanganj

Abhijit Roy @ Abhijeet Roy Son Of Pradeep Roy R/O Village- Champasari,
Bagjatin Colony, P.S.- Pradhan Nagar, District- Darjeeling (W.B.).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan,Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-08-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Rajendra Nath Jha, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Galgalia P.S. Case No. 59 of 2020 registered for the offences punishable under Sections 30(a) and 41(1) of Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he is the driver of Bolero Pick up from which total 889.875 liters of illicit liquor was recovered and the khalasi of the said vehicle managed to escape.

Learned counsel submits that the petitioner is

innocent and has falsely been implicated in the present case. It is submitted that the petitioner has no concern with the allegedly recovered illicit liquor. The petitioner is in custody since 09.12.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is said to be the driver of the Bolero pick up from which total 889.875 liters of illicit liquor is said to have been recovered, he has remained in custody in connection with this case since 09.12.2020 having no criminal antecedent, investigation against him is complete but the trial is not likely to take place in near future, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge (Excise), Kishanganj in connection with Galgalia P.S. Case No. 59 of 2020.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage

it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.