

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24826 of 2021**

Arising Out of PS. Case No.-1016 Year-2020 Thana- BAIRGACHHAI District- Araria

Arbindo Das Son of Late Sushil Das Resident of Satyajit Nagar, Ward No.46,
Siliguri (M.Corp), P.S.- Pradhan Nagar, District- Darjeeling (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Md. Arif A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 26-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bairstachhai P.S. Case No. 1016 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

966 liters & 600 ml. of Indian make foreign liquor has been recovered from a Bolero car, of which, this petitioner is alleged to be driver.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The petitioner, being driver of the vehicle, was unaware about the nature of consignment. Petitioner has got clean antecedent and he is in custody since 12.12.2020.

Learned A.P.P. for the State has opposed the bail petition.



Considering the nature of allegation, period of custody and clean antecedent of the petitioner, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge, Araria in connection with Bairgachhai P.S. Case No. 1016 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

anay

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

