

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28929 of 2021

Arising Out of PS. Case No.-237 Year-2017 Thana- KISHANGANJ District- Kishanganj

PROLAY SARKAR S/o Late Himanshu Sarkar Resident of Manel, P.S.-
Balughat, District- South Dinajpur (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a), 14 and 15 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 391 litres of IMFL and 865 litres of beer was recovered from the vehicle in question and the driver of the vehicle was taken into custody.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession who has been falsely implicated in the case only for the reason that he happens to be the registered owner of the vehicle. The petitioner is in custody since 8.2.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.



Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not being arrested at the spot and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Special Case no.131 (arising out of Kishanganj P.S. Case no. 237 of 2017) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge (Excise), Kishanganj.

(Partha Sarthy, J)

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