

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37194 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

=====

Noni Gopal Biswas Son of Sukumar Biswas Resident of C.P.W.D., Para,
Ward No. -09, Dalkhola (M), P.S.- Dalkhola, District- Uttar Dinajpur, West
Bengal- 733201.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shaishav Kumar

For the Opposite Party/s : Mr.Md.Iftekhar Mahmood

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in C-1 Case No. 28 of 2021,
registered for the offence under Section 30(a) of Bihar
Prohibition and Excise Act.

1247 liters of foreign liquor has been recovered from
a Mahindra Vehicle, of which, this petitioner was driver and
apprehended on spot.

It is submitted on behalf of petitioner that nothing has
been recovered from the conscious possession of the petitioner.
Petitioner is neither owner nor driver of the seized vehicle and
he has been falsely implicated by the Excise officials. Petitioner
has got clean antecedent and is in custody since 09.02.2021.



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

Considering the nature of allegation, clean antecedent and period of custody, 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 Special Judge, Excise Act, Purnea in connection with C-1 Case No. 28 of 2021, 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	
---	--	---	--

