

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 43452 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

VIJAY HORO Son of Amar Horo Resident of Village- Naksalbari Raipara,
P.S.- Naksalbari, District- Darjeeling (West Bengal)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Sections 30(a), 35, 36/41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, 630 liters of foreign liquor was recovered from a pick up van of which the petitioner was the driver and was apprehended on the spot.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery as he was not aware of the nature of consignment being transported through the said pick up van. Petitioner claims clean antecedent. Petitioner is in



custody since 7.1.2021. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, above named, 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 the Additional Sessions Judge II cum Special Judge, Excise Act Kishanganj in Kochadhaman Police Station Case No. 9 of 2021.

(Prabhat Kumar Singh, J)

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