

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44954 of 2021

Arising Out of PS. Case No.-46 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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1. Shalo Mandal @ Salo Mandal S/O Late Ram Mandal R/O At Tinganga Diyara Uttar Bhim Das Tola, Ps-Rangra (GOPALPUR), District-Bhagalpur.
 2. Gopal Chandra Das S/O Late Chitranjan Das R/O At Tinganga Diyara Uttar Bhim Das Tola, Ps-Rangra (GOPALPUR), District-Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Thakur

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-11-2021 Learned counsel for the petitioner seeks permission to withdraw the bail application with regard to Shalo Mandal @ Salo Mandal petitioner no. 1, as during pendency of this case, petitioner has already been granted bail by the court below itself.

Prayer is allowed. The bail application with regard to petitioner no. 1 is dismissed as withdrawn.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner no. 2 seeks bail in CI Case No. 46 of 2021 Reg No. 695/2021, registered for the offence punishable punishable under Section 30(a) of the Bihar Prohibition and



Excise Act, 2016.

808.860 litres of foreign liquor has been recovered from a vehicle and petitioner no. 2 is driver of the vehicle.

It is submitted that no recovery has been made from conscious possession of this petitioner. Petitioner was simply driving the vehicle and was not aware about the nature of consignment. Petitioner has no concern with the seized liquor. Petitioner is in custody since 26.04.2021 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged 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 learned Additional District & Sessions Judge IInd-cum-Special Judge, Katihar in connection with CI Case No. 46 of 2021 Reg No. 695/2021.

(Prabhat Kumar Singh, J)

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