

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.748 of 2021

Arising Out of PS. Case No.-226 Year-2020 Thana- BAUSI District- Purnia

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PINTU DAS Son of Kailash Das Resident of Village - Jay Prabha Nagar, P.S.-
Chautham, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-06-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Special Excise Case no.
369 of 2020 (arising out Bausi P.S. Case no. 226 of 2020)
registered under sections 272 and 273 of the Indian Penal Code
and sections 30(a), 41 and 47 of the Bihar Prohibition and
Excise Act, 2016.

As per allegation in the FIR, on secret information
having been received a raid was conducted and 450 litres of
IMFL was recovered from a tractor of which the petitioner was
a driver.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the person
or possession of the petitioner. He has been falsely implicated in
the case. He has no concern either with the allegedly seized
liquor or the tractor from which it is alleged to have been seized.



He is in custody since 20.9.2020 and has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

A report with respect to the antecedent was called for from the Superintendent of Police, Purnia. As per the report received, the petitioner has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the facts and circumstance of the case including the petitioner having remained in custody for 9 months and not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Special Excise Case no. 369/2020 (arising out of Bausi P.S. Case no. 226/2020) 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 Special Judge, Excise Act, Purnia.

(Partha Sarthy, J)

Prakash/-

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