

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5060 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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Aniket Lakandri @ Aniket Lakandir Son of Bikash Lakanbri @ Bikash Lakandi Resident of Village - Siliguri, Loha Bhanu Nagar, P.S.- Bhakti Nagar, District - Jalpaiguri (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 05-04-2021 Heard learned counsel for the parties.

The petitioner seeks bail in CI Excise Case No. 157 of 2020/CIS No. 157 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

On a secret information, a pick-up commercial vehicle of Mahindra Company, bearing Registration no. WB78/1814, was intercepted and upon search, 918 liters of foreign liquor was recovered. The petitioner, being driver of the vehicle, alongwith co-accused Pankaj Kumar were arrested on the spot.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. Petitioner was not aware about the nature of consignment and being driver, was only driving the vehicle on the instruction of the owner. In paragraph – 3 of the petition, the petitioner claims



clean antecedent and he is in custody since 29.08.2020.
Chargesheet has already been submitted.

Considering the fact that no recovery has been made from the possession of the petitioner coupled with the fact that petitioner has got clean antecedent, the bail application 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), Purnea in connection with CI-Excise Case No. 157 of 2020/CIS No. 157 of 2020, 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.)

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