

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63725 of 2021

Arising Out of PS. Case No.-430 Year-2020 Thana- KISHANGANJ District- Kishanganj

Bishwajeet Kumar @ Bishwajeet Sarkar @ Biswajit Sarkar Son of Late
Bhajan Sarkar Resident of Sahadarnagar (Sahadargachh), Bidhan Nagar, P.S.-
Fasidua, District- Darjeeling (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-12-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Kishanganj P.S. Case No.
430 of 2020 corresponding to supplementary Special Case No.
48 of 2020, registered for the offence punishable punishable
under Sections 272, 273, 420, 120-B of the Indian Penal Code
and sections 30(a), 41(1) of the Bihar Prohibition and Excise
Act, 2016.

4653.720 litres of foreign liquor has been recovered
from two vehicles and co-accused who were apprehended on the
spot disclosed the name of this petitioner and other as supplier
of the liquor.

It is submitted that no recovery has been made from



conscious possession of this petitioner. Petitioner is neither driver nor owner of vehicle in question and has got no concern with the seized liquor. Petitioner is in custody since 16.09.2021. Investigation is complete.

Learned APP however vehemently opposed the prayer for bail and submitted that petitioner has got criminal antecedent and four cases of similar nature are pending against him.

Considering the facts and circumstances of the case, 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 II-cum-Special Judge (Excise Act), Kishanganj in connection with Kishanganj P.S. Case No. 430 of 2020 corresponding to supplementary Special Case No. 48 of 2020, once the charge is framed in the case.

(Prabhat Kumar Singh, J)

vinita/-

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