

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5086 of 2022

Arising Out of PS. Case No.-124 Year-2021 Thana- AMAS District- Gaya

JANDAN DAS @ YADUNANDAN DAS SON OF SAMFUL DAS R/O
VILLAGE- MOHANPUR, P.S.- MUFFASIL, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No.2, Adv. Mr. Gajendra Kumar Singh, Adv.
For the Opposite Party/s	:	Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 1053 litres of IMFL was recovered from the vehicle being driven by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession or from the vehicle in question. He is in custody since 2.6.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and



taking into consideration the facts of the case specially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Amas P.S. Case no.124 of 2021 (CIS no.945 of 2021) 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 Additional District and Sessions Judge II-cum-Special Judge, Excise Act, Gaya.

It is directed that the learned trial court will get the antecedent of the petitioner verified from the local police station as also from the Superintendent of Police concerned and in case it transpires that the petitioner has any criminal antecedent, the bail bond of the petitioner shall be cancelled and he shall be taken into custody.

It is clarified that awaiting the receipt of the report with respect to antecedent of the petitioner, the release of the petitioner pursuant to the instant order granting bail shall not be delayed. The petitioner shall not be detained in custody but shall be released forthwith.

(Partha Sarthy, J)

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