

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63027 of 2021

Arising Out of PS. Case No.-741 Year-2021 Thana- ARARIA District- Araria

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DILIP RAI @ DILIP SARKAR Son of Nikeenajo Roy Resident of Village -
New Jalpaiguri , ward no.35, P.S.- Bhaktinagar, Distt.- New Jalpaiguri (West
Bengal) - 735135

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-04-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 272 and 273 of
the Indian Penal Code and section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per the prosecution case, 183 litres of IMFL was
recovered from the vehicle being driven by this petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his
possession or his vehicle. He has been falsely implicated in the
case. He has no criminal antecedent and is in custody since
27.8.2021. Chargesheet has been submitted in the case.



The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner is a resident of outside the State of Bihar.

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 Araria (Bairgachhi) P.S. Case no.741 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 Special Judge, Excise, Araria on the following conditions:

(i) one of the bailors of the petitioner shall be a close relative of the petitioner.

(ii) the other bailor of the petitioner shall be resident of a place within the jurisdiction of the learned trial court.

(Partha Sarthy, J)

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