

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1597 of 2022

Arising Out of PS. Case No.-322 Year-2021 Thana- DHURAIYA District- Banka

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ABHIJIT CHATERJEE S/O NIMAY CHATERJEE, R/o Village- Angiamore
Devdad, P.S.- Devdad, District- Godda (Jharkhadn)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Subhash Jha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 13-06-2022 Vide order dated 06.06.2022 learned counsel for the petitioner sought permission to file a Supplementary Affidavit. Office has reported vide office notes dated 10.06.2022 that no supplementary affidavit has been filed.

Today this case has been listed before this Court. Learned counsel for the petitioner Mr. Subhash Jha submits that another counsel on record Mr. Sudhir Kumar Mishra had appeared on the previous occasion and under wrong impression about the status of the petitioner, he wants to file supplementary affidavit and upon query Mr. Jha reached on conclusion that there is no need to file supplementary affidavit. He seeks apology that in future such mistakes shall not take place.

Accordingly, he is permitted to argue this case.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Dhoraiya P.S. Case No. 322 of 2021 lodged under Sections 30(a) and 32(ii) of Bihar Prohibition and Excise Amendment Act, 2018.

There is total recovery of 72.750 liters of foreign liquor has been made in the present case.

Learned counsel for the petitioner submits that charge sheet has been filed in this case. The alleged seizure is full of defect and there is no independent witness. He further submits that petitioner is in judicial custody since 12.12.2021 having no criminal antecedent

Learned A.P.P. has opposed the prayer for bail.

Considering the facts of the case and after perusal of records as well as this aspect that charge sheet has already been submitted, petitioner is in custody since 12.12.2021 having clean antecedent, let the petitioner above named, be granted bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IIInd, Banka in connection with Dhoraiya P.S. Case No. 322 of 2021,

corresponding to Special Excise Registration No.1078 of 2021.

(Dr. Anshuman, J)

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