

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9124 of 2023

Arising Out of PS. Case No.-300 Year-2021 Thana- RANIGANJ District- Araria

SHYAMAL ROY Son of Debindra Roy R/v- Binaguri, Bhakti Nagar, P.S.-
New Jalpaiguri, District- Jalpaiguri (West Bengal)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420, 468, 471 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of total 897.300 liters of illicit foreign liquor from a Bolero Pickup vehicle bearing Registration No. WB73E-8359 and the petitioner is said to be owner of the seized vehicle.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner is said to



be only driver of the seized vehicle but he has no concern with the alleged recovery of illicit liquor. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious or constructive possession. It is further submitted that the petitioner is languishing in judicial custody since 11.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is alleged to be owner of the said vehicle from where the illicit liquor has been recovered.

The petitioner is directed to deposit a sum of Rs 40,000/- (Forty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Raniganj P.S. Case No. 300 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Araria.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of Rs. 40,000/- (Rs. Forty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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