

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63706 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- BHAPTIAHI District- Supaul

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Sagar Biswas S/O Digvijay Biswas Village- Kanki Sahaspur, Ps- Chakaliya,
Po- Chakaliya, Dist- Uttar Dinajpur, West Bengal

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Bhaptiyahi P.S. Case No. 43 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act.

The prosecution case in nutshell is that informant, being a police official, on secret information intercepted a truck bearing Reg. No. WB-89-2913. 1863 litres of IMFL has been seized from the said truck. Petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. It is further



submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern either with the seized illicit liquor or with the Truck in question. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 24.04.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner was driver of the said vehicle from which recovery of illicit liquor has been made.

The petitioner is directed to deposit a sum of Rs. 20,000/- (Rs. Twenty Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bhaptiyahi P.S. Case No. 43 of 2023 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 Exclusive Special Excise Court No. 1-cum-Additional District and Sessions Judge, Supaul.

The bail bonds of the petitioner shall be accepted by



the learned lower Court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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