

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23986 of 2024

Arising Out of PS. Case No.-491 Year-2023 Thana- BAISI District- Purnia

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Bikash Sah @ Vikas Sah Son of Ashok Sah Resident of Biman Nagar, P.S.-
Bagdogra, District-Darjeeling (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Fazle Karim, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Baisi P.S. Case No. 491
of 2023, instituted for the offences punishable under Sections
272, 273 of the Indian Penal Code, Sections 30(a), 41 and 47 of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 24.780 liters
liquor was recovered from bus and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the petitioner is conductor of the bus and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 21.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Baisi P.S. Case No. 491 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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