

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59096 of 2023

Arising Out of PS. Case No.-231 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Prakash Kumar Hore @ Prakash Kr Hore, Son Of Tapan Chandra Hore R/O
Vill - Netaji Nagar Colony, P.S. - Pradhan Nagar, Distt. - Darjeeling, Distt. -
West Bengal

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 19-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272 and 273 of the I.P.C. and Sections 30(a), 32, 41
and 47 of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 900 litres of liquor from a Bolero
pick up van.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that Madhav Sarkar and Khokhon Das were arrested from the



spot and the petitioner came to be implicated on the ground that he had talked with one of the apprehended accused. It is next submitted that petitioner and the apprehended accused are known to each other, but then, petitioner was completely unaware that they were involved in illegal trade of liquor, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge (Excise)-1, Kishanganj in connection with Kochadhaman P. S. Case No.231 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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