

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80754 of 2024

Arising Out of PS. Case No.-284 Year-2024 Thana- BAUNSI District- Banka

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Bittu Chakravorty @ Bittu Chakraborty Son of Kana Chakraborty R/O Vill.-
Dhamrai Road no. 4, Shankhari Pukur, Police Station- Burdwan, District-
Burdwan, West Bengal Petitioner/s

Versus

The State of Bihar, Patna Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-11-2024 Heard Mr. Ajay Mukherjee, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection
with Bounsi P.S. Case No. 284 of 2024 for the offence
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act lodged on 10.09.2024 by the informant, Brajesh
Kumar Singh.

3. As per the prosecution story, the informant alleged
that during routine patrolling, he received secret information
that a Magic goods vehicle was carrying liquor. The vehicle was
intercepted and altogether 203.28 liters of illicit foreign liquor
recovered/seized. Accordingly, the FIR and the arrest.

4. Learned counsel for the petitioner submits that
though the petitioner is driver cum owner, he had no knowledge
that the material that was loaded in it by the person who booked
it, which include, the liquor. Further, he do not have criminal



antecedent and is in custody since 11.09.2024.

5. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs.10,000/- to the District Legal Services Authority, Banka for the beautification of the Civil Court Campus of Banka through Demand Draft issued by the local branch of the State Bank of India.

6. Learned APP opposes the prayer for bail.

7. Taking into account the the aforesaid submissions put forward by the parties as also that the petitioner do not have criminal antecedent, is in custody since 11.09.2024, this Court is inclined to extend him the privilege of bail subject to payment of Rs.10,000/- to the District Legal Services Authority for the beautification of the Civil Court Campus of Banka through Demand Draft issued by the local branch of the State Bank of India and the receipt of the same shall be submitted to the Trial Court by the DLSA, Banka.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Banka/Court concerned, in connection with Bounsi P.S. Case No. 284 of 2024 subject to the



following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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