

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14266 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -KOCHADHAMAN District- KISANGANJ

=====

1. Shahid Alam @ Chhotu @ Md. Shahid Alam S/o Late Sakir Alam , R/o Village- Kazi Tola Chuna Mari, P.S.- Kocha Dhaman , District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Ramchandra Sahani

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 16.01.2018 in connection with Kochadhaman P.S. Case No. 12 of 2018, arising out of Special Case No. 11/18 for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that during course of patrolling and checking of vehicles, the petitioner was found driving a motorcycle. On seeing the police, he started fleeing away but was apprehended. From a bag tied with the motorcycle 24.750 litres of foreign liquor and 7 litres 150 ml of beer was recovered. Accordingly, a seizure-list



was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case only on the basis of suspicion. Petitioner undertakes to cooperate in the investigation and not to tamper with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II cum Special Judge (Excise), Kishanganj, in connection with Kochadhaman P.S. Case No. 12 of 2018, giving rise to Special Case No. 11/18, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the



learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

