

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16417 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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TANVIR AALAM, aged about 22 years (Male), Son of Ijajul Haque @ Jajul Haque Resident of Village - Balua, P.S.- Dhaka, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-03-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 18.01.2019 in connection with Excise Case No.48 of 2019 for the offence alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the Excise Officials is that the SSB apprehended two persons in a motorcycle including the petitioner carrying 97 litres of country made liquor. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits



that another co-accused apprehended along with the petitioner has since been granted the privilege of bail by a coordinate Bench of this Court in Cr.Misc.No.10071 of 2019 dated 20.02.2019 and the petitioner is languishing in judicial custody since more than two months.

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

Considering the nature of allegations and the materials on record as well as that another co-accused apprehended with the petitioner has been granted the privilege of bail, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Excise Case No.48 of 2019 to the satisfaction of learned Special Judge, Excise, East Champaran, Motihari, subject to the conditions that 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.

(Nilu Agrawal, J)

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