

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25678 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- DAGARUA District- Purnia

ANJAR ALAM, aged about 30 years, Male, Son of Aafak Alam, Resident of
Village- Khari Tola, P.S. Kochadhaman, District- Kishanganj

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Bijendra Kumar Singh, Adv.

For the Opposite Party : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 29-04-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner seeks bail in connection with Special
Case No. 246 of 2019 arising out of Dagarua P.S. Case No. 40
of 2019 for the offences alleged under Sections 272 and 273 of
the Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that during vehicle checking they received a secret
information that in a four wheeler vehicle the illicit liquor is
being carried. The police intercepted the vehicle, the driver
tried to flee away, but, was apprehended. On search, from the
vehicle 96 liters of illicit foreign liquor 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
nothing has been recovered from his conscious possession. He



submits that he was just the driver of the said vehicle and the illicit liquor did not belong to him and he is languishing in judicial custody since 18.03.2019.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations, the period of custody and that the petitioner does not bear any criminal antecedent, as stated in paragraph 3 of the present application, 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 Special Case No. 246 of 2019 arising out of Dagarua P.S. Case No. 40 of 2019 to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Purnea, or the successor Court, subject to the condition 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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