

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9763 of 2020

Arising Out of PS. Case No.-1450 Year-2019 Thana- AHYAPUR District- Muzaffarpur

Md. Hasan Son of Abdul Razak Resident of Village - Daulatpur Dalkhola,
P.S.- Dalkhola, Dist.- Uttar Dinajpur (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali

For the Opposite Party/s : Mr.Yogendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 13-05-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks bail in connection with Ahiyapur P.S. Case No. 1450/2019 registered for the offences punishable under Sections 30(a), 36, 38, 41 of the Bihar Prohibition and Excise Act, 2016 .

In huge quantity spirit was recovered from a truck. The driver and the khalasi of the aforesaid truck were arrested and they disclosed name of one Singhji. In course of investigation, the name of petitioner came in picture but from perusal of case diary, I find that no specific allegation has been levelled against the petitioner except the confessional statement of co-accused. Moreover, aforesaid co-accused has been granted privilege of bail and so far as the petitioner is concerned, he is in jail custody for near about six months.



Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released 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 Special Judge, Excise, Muzaffarpur/concerned court in connection with Ahiyapur P.S. Case No. 1450/2019.

However, it is made clear that if the petitioner fails to make available sureties due to lock down as well as due to prevailing situation, the concerned court shall release the petitioner provisionally on personal bond with condition that petitioner shall furnish the sureties when lock down is over.

(Hemant Kumar Srivastava, J)

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