

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18204 of 2020**

Arising Out of PS. Case No.-161 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Aurangabad

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SARFARAJ AALAM @ GUDDU Son of Imtiyaz Alam @ Md. Imteyaj  
Resident of Village - Belodar, P.S.- Hariharganj, Distt.- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan  
For the Opposite Party/s : Mr. Ashok Kumar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      14-05-2020                      The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Excise Case No. 161 of 2020 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 135 liters of illicit liquor from a tempo and house of the petitioner.

It is the submission of the petitioner in the bail petition that the petitioner is innocent, has been falsely



implicated in the present case, no recovery has been made from the conscious possession of the petitioner, the petitioner is having a clean antecedent and he is languishing in custody since 19.02.2020.

Per contra, the learned APP appearing for the State has submitted that the petitioner is named in the FIR and there is specific allegation against him.

Having regard to the facts and circumstances of the case, considering the submissions made in the present petition as also considering the fact that the petitioner is having a clean antecedent and is languishing in custody since 19.02.2020, I deem it fit and proper to direct for release of the petitioner on bail upon him furnishing personal bond to the satisfaction of learned Additional Session Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Excise Case No. 161 of 2020.

It is further directed that once the lock-down is over and normal situation is restored, the petitioner, above named, shall furnish bail bonds of a sum of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each, within a period of four weeks, to the satisfaction of learned Additional Session Judge-VII-cum- Special Judge (Excise), Aurangabad in



connection with Excise Case No. 161 of 2020, failing which the present privilege of bail being extended to the petitioner shall stand revoked automatically.

The present petition stands allowed.

**(Mohit Kumar Shah, J)**

S.Sb/-

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