

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28448 of 2021

Arising Out of PS. Case No.-1 Year-2021 Thana- AMBA District- Aurangabad

KHURSHID ALAM @ SONU Son of Shafik Alam @ Safique Khalifa
Resident of Village- Maharajganj, P.S.- Kutumba, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amit Anand, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-10-2021 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Amba P.S. Case No. 01 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018. He is in custody since 06.01.2021. Petitioner has no criminal antecedent.

As per the prosecution story, while the informant got secret information that the liquor loaded on Xylo vehicle is coming towards Hariharganj to Aurangabad, on this information he reached at NH-139, in the meantime, one Xylo vehicle was coming towards Hariharganj, he stopped the said vehicle and recovered total 622.500 liters of Jharkhand made liquor from the vehicle and arrested one Khurshid Alam @ Sonu (the petitioner).



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, he is said to be the driver of the vehicle, however he is in custody since 06.01.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein total 622.500 liters of Jharkhand Made liquor were recovered from the Xylo vehicle, petitioner is the driver of the vehicle, he has no criminal antecedent and he is in custody in connection with this case since 06.01.2021, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge (Excise), Aurangabad in connection with G.R. No. 21/2021, arising out of Amba P.S. Case No. 01 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of



bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

