

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29051 of 2021**

Arising Out of PS. Case No.-15 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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ALOK MISHRA Son of Sri Nagendra Mishra R/o Ck-13/11, Shakti Chowtra
Chouk, P.S.- Bulanala, P.S.- Chowk, Varanasi, (U.P.)-221001

... .. Petitioner/s

Versus

Union of India through its Deputy Director, Directorate of Revenue
Intelligence, Regional unit, Patna, Bihar.

... .. Opposite Party/s

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**(The proceedings of the Court are being conducted through Video Conferencing
and the Advocates joined the proceedings through Video Conferencing from
their residence.)**

Appearance :

For the Petitioner/s : Mr.Kameshwar Mishra, Adv

For the Opposite Party/s : Mr.Manoj Kumar Singh CGC

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 05-08-2021 Heard learned counsel for the parties.

Petitioner seeks bail in **Complaint Case No. 15(C) of
2020** registered for the offence punishable under Sections 7, 11,
46 and 47 of the Customs Act.

Allegation is of recovery of two smuggled Gold Bars
weighing 2.470 kg from the possession of the petitioner.

Learned counsel for the petitioner submits that he is
innocent and has been falsely implicated in this case by the
officials of Revenue Intelligence. It is further submitted that the
petitioner received the seized goods in Guwahati, Assam from a
person namely Gold Patel which was meant for one Govind Sah
of Varanasi. The owner of the seized Gold Bars is Govind Sah

and petitioner has no concern with the alleged Gold bars. Bank statement of the petitioner was verified by the prosecution but no suspicious transaction was found which would connect the petitioner with the seized goods. Petitioner has got no criminal antecedent and is in custody since 09.11.2020.

Learned counsel for the Union of India, Mr. Manoj Kumar Singh, vehemently opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Complaint Case No. 15(C) of 2020**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, where one of the bailor will be the father of the petitioner.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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