

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38759 of 2020

Arising Out of PS. Case No.-308 Year-2016 Thana- KUDHNI District- Muzaffarpur

Alok Kumar, Age-34 Years, Gender-Male, Son of Lala Singh @ Vinod Singh
Resident of Village- Mohanpur, P.S. Kudhani, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Jagjit Roshan, Advocate
For the Opposite Party : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Kudhni P.S. Case No.308 of 2016, for the offence under
Sections 272, 273, 290 and 34 of the Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act, 2016.

In the instant case total 2124 litres of foreign liquor
was seized from the truck.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner has been named in this case at a
belated stage only on suspicion. Learned counsel further
submits that the petitioner is neither owner of the truck nor he is
owner of the seized liquor. Learned counsel submits that nothing
was recovered from conscious possession of this petitioner and



only on suspicion he has been roped in in the present case.
Petitioner is in custody since 31.07.2020.

Considering the submission that nothing was recovered from conscious possession of the petitioner and he is in custody since 31.07.2020, the Court is inclined to grant bail to the petitioner subject to the condition that the petitioner has to deposit Rs.1,00,000/- in cash. On depositing the amount of Rs.1,00,000/-, petitioner, above-named, shall be released on bail on furnishing bail bond of Rs.1,00,000/- (Rupees one lakh) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Muzaffarpur in connection with Kudhni P.S. Case No.308 of 2016.

Deposit of Rs.1,00,000/- (Rupees one lakh) shall abide by final outcome of Kudhni P.S. Case No.308 of 2016.

(Anil Kumar Upadhyay, J)

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