

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1122 of 2021

Arising Out of PS. Case No.-162 Year-2020 Thana- KURSAKANTA District- Araria

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SHAHZAD ALAM S/O ABDUL WAHID @ BAHID RESIDENT OF
VILLAGE-RAJAULA, WARD NO. 6, P.S. KURSAKANTA (O.P.
SONAMANI GODAM), DISTRICT-ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 09.09.2020 in
connection with Kursakanta (Special No. 732/2020) P.S. Case
No. 162/2020 registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 26 litres and 400 ml of
Nepali Umanga wine has been recovered from the possession of
the petitioner.

It is submitted on behalf of the petitioner that
petitioner has been falsely implicated in this case only on the
basis of suspicion. It is further submitted that nothing has been
recovered from the conscious possession of the petitioner.
Petitioner bears clean antecedent and he is in custody since



09.09.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Araria, in connection with Kursakanta P.S. Case No. 162/2020 (Special No. 732/2020), subject to following conditions:-

- (1) 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.
- (2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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