

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.712 of 2021

Arising Out of PS. Case No.-398 Year-2020 Thana- JAKKANPUR District- Patna

Alamgir Alam @ Alamgir Khan Son of Lallu Khan Resident of Opp. Govt.
Bus Stand Behind Mamta Hospital, House of Teni Mistri, Kashitakya, Village
- Bhainsasoor, P.S. - Laheri, District - Nalanda, Bihar Shariff

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and
learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Jakkanpur P.S. Case no.
398 of 2020 registered under section 273 of the Indian Penal
Code and sections 30(a), 36 and 41 of the Bihar Prohibition and
Excise Act, 2016.

As per allegation in the F.I.R., 57 litres of IMFL
and 32 litres of beer are stated to have been recovered. While
the petitioner was arrested at the spot, one of the accused
persons namely Raju managed to escape.

It is submitted by learned counsel for the petitioner
that no recovery of any incriminating article has taken place



from the possession of the petitioner. The petitioner happens to be the cleaner of another bus and was standing nearby leading to his arrest under misconception. He has no criminal antecedent and is in custody since 31.8.2020 i.e for more than 6 months.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 31.8.2020 and not having any criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Jakkanpur P.S. Case no. 398 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge, Excise Act, Patna.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

