

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4445 of 2021**

Arising Out of PS. Case No.-458 Year-2020 Thana- GARKHA District- Saran

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ALTAF KHAN @ ALTAF Son of Kallu Khan Resident of Village and P.S.-
Khajrana, District-Indore, State-Madhya Pradesh.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh No.5, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 22-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

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

As per allegation in the FIR, on a secret information
having been received a raid was conducted. The truck being
driven by the petitioner was caught and on search 3562.5 litres
of IMFL was recovered.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the person
or truck of the petitioner. He has been falsely implicated in the



case. He has no criminal antecedent and is in custody since 17.9.2020.

A report called for from the Superintendent of Police, Saran with respect to the antecedent of the petitioner has been received. It refers to paragraph no.35 of the case diary. As per the report, the petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration, the petitioner not having any criminal antecedent and having remained in custody for 9 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Garkha P.S. Case no. 458 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 Addl. Sessions Judge II – cum – Special Judge, Excise Act, Saran.

(Partha Sarthy, J)

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