

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2921 of 2021

Arising Out of PS. Case No.-394 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

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MOHAMMAD ASLAM @ MD. ASALAM son of MD ISRAIL SAH @ MD
ISRILE SAH Resident of Village- Raghopur Mahdahiya (Mahdaya), P.S.-
Minapur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 09.10.2020 in
connection with Kuchaikote P.S. Case No. 394 of 2020
registered for the offences punishable under Sections 30(a) of
the Bihar Prohibition and Excise Act.

As per the prosecution case, this petitioner was
arrested with one *Santero* car and upon search, 101.358 litres of
foreign liquor was recovered from the aforesaid car.

It is submitted on behalf of the petitioner that nothing
has been recovered from the possession of the petitioner and the
petitioner being driver of the car has no knowledge that the
liquor is being carried by this vehicle. Petitioner has got no
concern with the seized vehicle. Petitioner bears no criminal



antecedent and he is in custody since 09.10.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the possession of the petitioner coupled with the fact that petitioner has got no criminal antecedent, 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 Addl. District and Sessions Judge-II, Gopalganj, in connection with Kuchaikote P.S. Case No. 394 of 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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