

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4997 of 2021

Arising Out of PS. Case No.-664 Year-2020 Thana- TURKAULIYA District- East
Champanan

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AALAM SON OF AMIR AZAM R/O VILLAGE- MIRAPUR KHURD,
P.S.- MIRAPUR, DISTRICT- MUZAFFARNAGAR, STATE-U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Turkauliya (Banjariya)
P.S. Case No. 664 of 2020, registered for the offence punishable
punishable under Sections 272, 273 and 34 of the Indian Penal
Code and section 30(a) of the Bihar Prohibition and Excise Act,
2016.

On secret information that huge quantity of illicit
foreign liquor has been unloaded in FCI godown, raid was
conducted and one truck was seized. Upon search, 1596 litres of
foreign liquor has been recovered from the said truck and this
petitioner was apprehended on the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is Cleaner of
the truck in question and has no concern with the seized liquor.



Petitioner is in custody since 18.09.2020 having no criminal antecedent, as stated in para 3 of the petition.

Considering the fact that no recovery has been made from conscious possession of the petitioner coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 2nd-cum-Special Judge Excise, East Champaran at Motihari in connection with Turkauliya (Banjariya) P.S. Case No. 664 of 2020, subject to following conditions:-

(i) The 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 and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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