

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9708 of 2021

Arising Out of PS. Case No.-600 Year-2020 Thana- PHULWARISHARIF District- Patna

Atif Suleman @ Vicky @ Vicky @ Atif Suleman Son Of Md. Suleman R/O
House No.-224, Ward No.-03, Khalilpura, P.O. And P.S.- Phulwarisharif,
Dist.- Patna, At Present Alba Colony, Near Pakori Factory, P.O. And P.S.-
Phulwarishari, Dist.- Patna

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana, Advocate

For the Opposite Party/s : Mr. PK Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-05-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offence punishable under Sections 420/467/120B/34 of the IPC
and sections 30a/36/41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, on the secret information
raid was conducted by the police and total 853.560 liters of
foreign liquor was recovered the vehicles.

Learned counsel appearing for the petitioner submits



that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. The mandatory provision of law for search and seizure has not been followed. Investigation has already been completed and the petitioner is in custody since 27.11.2020.

Considering the rival submissions coupled with the fact that no incriminating material has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released 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 court in seisin of Special Case No. 6497/2020, Phulwarisarif Police Station Case No. 600 of 2020 on the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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