

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23882 of 2022

Arising Out of PS. Case No.-181 Year-2021 Thana- FALKA District- Katihar

1. Aehsan Alam @ Asfaque Alam @ Astaque Alam S/O Md. Ajahar R/O Village- Nichitpur, P.S.- Dalkhola, District- Uttar Dinajpur (W.B.)
2. Zubair Alam S/O Hazrat Umar R/O Village- Baniya Tola, Shikarpur, P.S.- Dalkhola, District- Uttar Dinajpur (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Indu Kumari Srivastava, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 30a,36,41(i)(ii) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 2025 liters foreign liquor was recovered from a truck whereas 45 liters foreign liquor was recovered from a car.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioners and



they are no way connected with the aforesaid recovery. Petitioners are neither the owner nor the driver of the vehicle in question. Their name have figured during course of investigation in confessional statement of co-accused. Petitioners have got no criminal antecedent.

Considering the facts of the case, in the event of arrest/surrender, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge cum Special Judge Court No.2, Katihar in Falka Police Station Case No. 181 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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