

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39266 of 2021

Arising Out of PS. Case No.-116 Year-2021 Thana- KATEYA District- Gopalganj

SAIFUDIN ALI @ BABLU Son of Sufiyan Miyan Resident of Village -
Kalyanpur, P.S.- Bhorey, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam

For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 28.03.2021,
seeks bail in connection with Kateya P.S. Case No. 116 of 2021,
for the offence punishable under Section 414 of Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, in brief, is that in course of
checking of vehicle, altogether 444.50 litres of illicit liquor of
different brands were recovered from the Bolero vehicle bearing
registration No. BR29K-0273.

Learned counsel appearing on behalf of the petitioner



submits that nothing has been recovered from the possession of the petitioner. He further submits that petitioner is neither the owner of the alleged vehicle from which the huge quantity of liquor was recovered nor he is in any way related to the trade of illicit liquor. He further submits that petitioner has clean antecedent and he has falsely been implicated in this case.

Learned A.P.P. for the State, however, opposes the prayer for grant of bail to the petitioner and submits that huge quantity of illicit liquor recovered from the vehicle and till date it has not been verified that who is owner of the vehicle.

Considering the aforesaid facts and circumstances of the case, it is directed that the learned Court below after verifying the criminal antecedent of the petitioner and on being satisfied that there is no other criminal case or excise case is pending against the petitioner, the petitioner, above named, be released on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-II-cum-Special Judge, Gopalganj in connection with Kasteya P.S. Case No. 116 of 2021 subject to the following conditions:-

(1) If the alleged vehicle, in any way, related to the petitioner, the bail bond of the petitioner shall be cancelled.



Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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