

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50356 of 2021

Arising Out of PS. Case No.-378 Year-2020 Thana- DALSINGHSARAI District- Samastipur

KAMAL HUSSAIN @ KAMAAL HUSSAIN S/O MD. ISRAIL @ MD.
ISMAIL R/o- Chocha, P.S.- Baisi, Distt.- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 420, 467, 468, 471 and 120B of the Indian Penal Code and sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 2691 litres of liquor was recovered from the truck and the driver of the vehicle was taken into custody.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. His name transpired in course of investigation on the basis of the call detail report (CDR) of the mobile phone of the driver of the vehicle in question wherein it transpires that the petitioner had conversation with the said driver. It is submitted that the driver



of the said vehicle Parwinder Singh has been enlarged on bail vide order dated 12.1.2022 passed in Cr. Misc. no. 965 of 2022. The petitioner is in custody since 22.3.2021 and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the the materials on record together with the petitioner having remained in custody for over 1 year, the petitioner is directed to be enlarged on bail in connection with Dalsingsarai P.S. Case no. 378 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II – cum – Special Judge, Excise, Samsastipur.

(Partha Sarthy, J)

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