

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45390 of 2022**

Arising Out of PS. Case No.-223 Year-2022 Thana- JAHANABAD District- Jehanabad

Md Tabarej Alam @ Md Tarbej Alam Son Of Md. Ilahi Baksh @ Ilahi R/O
Village- Poojha, P.S.- Garaul, Ditric- Vaishali, At Present Resident At
Nakawa Toli, Ukeid, P.S.- Ormajhi, District- Ranchi (JHARKHAND)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

2 14-10-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Suman Kumar Jha, learned counsel for
the petitioner as well as learned Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks bail in a case registered in
connection with Jehanabad P.S. Case No. 223 of 2022 for
the offences punishable under Sections 30(a) of the Bihar
Prohibition & Excise Amendment Act.

The police on a secret information intercepted a
truck bearing registration no. UP-21CT-2957 and on search
total 1485 liters Indian made foreign liquor was recovered



and the driver of the truck Pritam Kumar, apprehended at the spot.

Learned counsel for the petitioner submits that petitioner is neither named in the FIR nor any incriminating material has been recovered from his person or possession. He further submits that during the course of investigation, it is found that the petitioner was in touch with the driver through his mobile and as such his name has been implicated in this case. Though the petitioner has neither any concern with the truck nor with the illicit liquor. He next submits that petitioner having a man of fair antecedent is in custody since 15.04.2022 and now investigation of the crime is already been complete and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application.

Regard being had to the submissions made on behalf of the parties and considering the materials available on the record specially the fact that petitioner was neither apprehended at the spot nor any incriminating material has been recovered from his person or possession, apart from



fair antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S.Case No. 223 of 2022 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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