

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53918 of 2022

Arising Out of PS. Case No.-338 Year-2022 Thana- RAMNAGAR District- West Champaran

Samsed Alam @ Samsad Alam, S/o Md. Rahman Ansari @ Rahman Ansari,
R/o village- Nawa Tola Mahui, P.S.- Ram Nagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Ram Nagar P.S. Case No. 338 of 2022
registered for the alleged offences under Section 30(a) of the
Bihar Prohibition and Excise Act.

As per prosecution case, recovery of 10.5 litres of
illicit country made liquor was made from the motorcycle of the
petitioner who was apprehended from the spot.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case by the police
while he was coming on his motorcycle and was asked for



illegal gratification by the police. Despite a large gathering was there only the police officials have been made witness on the seizure list. The petitioner is in custody since 15.07.2021 and charge-sheet has been submitted. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the period of the custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Bagaha, West Champaran in connection with Ram Nagar P.S. Case No. 338 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of



the petitioner will be liable to be cancelled by the
court concerned.

(Arun Kumar Jha, J)

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