

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64025 of 2021

Arising Out of PS. Case No.-166 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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Akbar Alam, aged about 22 years, male, S/o Md. Irfan R/o village- Faringola
Ward No. 09, P. S.- Kishanganj, District- Kishanganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate
For the State : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in *C-1 Case No. 166 of 2021*,
instituted for the offence punishable under Sections 30(a) and
56(b) of the Bihar Prohibition and Excise Act, 2018.

144 liters wine has been recovered from the storage of the
car in-question. The petitioner was driving the vehicle.

It is submitted by the petitioner's counsel that he was a
professional driver of the vehicle in-question, plying the vehicle



under instructions of his master (owner of the vehicle), oblivious of the illicit contents. He has been in custody since 17-09-2021 and has no criminal antecedents. Investigation is also stated to be complete.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, period of custody and the clean antecedents of the petitioner, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned *Special Judge, Excise, Purnia*, in connection with *C-1 Case No. 166 of 2021*, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each



date and if he fails to do so on two consecutive dates, his bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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