

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65695 of 2021

Arising Out of PS. Case No.-338 Year-2021 Thana- PHULWARIYA District- Gopalganj

Samshad Alam alias Samsad Alam, Son of Manzur Alam @ Manjoor Alam,
Resident of Village- Patwara Lala Tola, P.S-. Mufasil District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 14-02-2022 The applicant is given out of turn hearing because of
ailment of his old aged mother.

The applicant/accused in Crime No. 338 of 2021
registered with Phulwariya Police Station for the offences
punishable under Section 414 of the Indian Penal Code as well
as Section 30(a) of the Bihar Prohibition and Excise Act, by this
application is seeking his release on bail during pendency of the
trial.

Heard both sides.

The learned Additional Public Prosecutor opposed
the application by contending that there is recovery of illicit
liquor from possession of the applicant.

I have considered the submissions so advanced and



also perused the material placed before me.

According to the prosecution case, the motorcycle on which the applicant was riding came to be stopped by the police and Indian made foreign liquor as well as beer of 38.550 litres quantity came to be seized from the applicant.

It is reported that the applicant is not having any criminal antecedent. The investigation of the crime is question is over. I see no reason to refuse the bail to the applicant and and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 338 of 2021 registered with Phulwariya Police Station be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact



the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

Bhardwaj/-

(A. M. Badar, J)

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