

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48623 of 2023

Arising Out of PS. Case No.-182 Year-2023 Thana- BAISI District- Purnia

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CHIRAG ALAM @ CHIRAGH ALAM SON OF LATE KHALIL
RESIDENT OF AIDHI CHOPRA, P.S.- BAISI, DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Fazle Karim, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-08-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Baisi P.S. Case no.182 of 2023 registered for the offence punishable under sections 272, 273, 353 and 34 of the Indian Penal Code and sections 30(a), 32, 41, 45 and 47 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on an information having been received, a raid was conducted by the police personnel. It is stated that while the accused-petitioner managed to escape, the tempo driver and one Mubarak Alam were caught and 540 litres of country liquor was recovered. It is further stated that the accused who were caught and the other villagers



disclosed the name of the petitioner as the person who had managed to escape.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article was recovered from his possession. He has no criminal antecedent and has been falsely implicated in the case at the instance of the villagers who are inimical to him.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot, no incriminating article having been recovered from the petitioner's possession and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Baisi P.S. Case no.182 of 2023 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 Exclusive Special Judge (Excise-01), Purnea.

7. It is made clear that in case it subsequently transpires that the petitioner had some criminal antecedent, the



opposite party will be at liberty to file an appropriate application
for cancellation of the bail granted to the petitioner.

(Partha Sarthy, J)

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