

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63965 of 2022

Arising Out of PS. Case No.-443 Year-2022 Thana- NAUTAN District- West Champaran

Aurangjeb Siddique, Son Of Sabir Hussain @ Savir Hussain @ Savir Hussin,
R/O Village- Sugaon, P.S.- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-01-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and learned APP for the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Nautan (Jagdishpur) P.S. Case No. 443 of 2022 registered under Section 414 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

51.845 litres IMFL has been recovered from the vehicle. Petitioner's implication is by stating that he was fleeing away from the vehicle.

Learned counsel for the petitioner submits that petitioner was



a passer-by and has become victim of circumstance. Having no antecedent, he is in custody since 20.08.2022. Recovery is denied and disputed by learned counsel for the petitioner. It is submitted that recovery is not in accordance with law.

Learned APP has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, the period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioner's prayer for bail. Prayer for bail of the petitioner is allowed.

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 Exclusive Special Judge, Excise, Bettiah, West Champaran in Nautan (Jagdishpur) P.S. Case No. 443 of 2022, 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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