

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70987 of 2022

Arising Out of PS. Case No.-433 Year-2019 Thana- SARAI District- Vaishali

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Alok Singh @ Alok Kumar @ Alok Kumar Singh Son Of Bacha Singh @
Bachanand Singh Resident Of Village - Anjani, P.S.- Sarai, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 414 of Indian Penal Code and Sections 30(a), 35(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 4455 litres of Indian made foreign liquor from a truck bearing registration No. MP-09HG-3215. The driver of the truck was arrested on the spot who named the petitioner as a person to whom the said liquor was to deliver.

Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended driver of the vehicle, before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 28.09.2022. It is further submitted that similarly situated co-accused persons have been granted Bail by this court and co-ordinate Bench of this court vide order dated 16.09.2022 and 13.07.2021, passed in Cr. Misc No. 31932 of 2022 and 28429 of 2021 respectively.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case,



this court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No. II-cum-A.D.J, Vaishali, Hajipur in connection with Sarai P.S. Case No. 433 of 2019.

(Sunil Kumar Panwar, J)

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