

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10500 of 2024

Arising Out of PS. Case No.-237 Year-2023 Thana- SARAI District- Vaishali

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Alok Kumar @ Alok Kumar Singh @ Alok Singh, S/o Bacha Singh @
Bachanand Singh, R/o 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, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sarai P.S. Case No. 237
of 2023, instituted for the offences punishable under Sections
409, 120(B) of the Indian Penal Code read with Sections 30(a),
32(i) (ii) (iii), 41 (i) (ii), 51 and 52 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 945.63 liters
liquor was recovered from pickup vehicle and from malkhana
room.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. The



petitioner has got no concern with the alleged recovery of liquor and it is alleged that the seized articles has to be delivered to the petitioner. Charge-sheet has been submitted in this case. No incriminating article has been recovered from the possession of the petitioner. The petitioner is in custody since 20.12.2023 and has got seven criminal antecedents in which the petitioner is on bail in all the cases. Learned counsel for the petitioner further submits that similarly situated co-accused hasve been granted bail by Co-ordinate Benches of this Court vide order dated 10.01.2024 passed in Cr. Misc. No. 74597 of 2023, 77924 of 2023, 78889 of 2023 and order dated 15.01.2024 passed in Cr. Misc. No. 86526 of 2023. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Sarai P.S. Case No.
237 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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