

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46151 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- Excise P.S. District- Vaishali

SAKEEL ALAM @ MD. SAKEEL S/O IJRAIL ALAM R/O VILLAGE-
BAGHDULHAN RAM PRASAD CHOWK, P.S- HAJIPUR SADAR,
DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aniket Singh, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-07-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Hajipur Excise P.S. Case No. 120/2024 instituted under Section 30(a), 32(1)(3), 36, 41(1)(2) and 62 of Bihar Prohibition & Excise Amendment Act, 2018 lodged on 26.4.2024 by the informant, Bhanu Pratap Singh.

3. As per the prosecution story, upon secret information, from the junk shop, there is recovery of 20 liters of illicit liquor beside 25 pieces of empty bottles and 250 grams of bottle cap recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is neither the owner of the land nor the junk shop but implicated only because of criminal antecedent.



5. Learned APP opposes the prayer submitting that his name has come in the FIR.

7. Taking into account the submissions put forward by the parties as also the fact that he does not own either the shop or the land, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Hajipur Excise P.S. Case No. 120/2024 to the satisfaction of learned Exclusive Excise Court No.2, Vaishali at Hajipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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