

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81597 of 2024

Arising Out of PS. Case No.-368 Year-2024 Thana- GORAUL District- Vaishali

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Alok Kumar Singh @ Alok Singh @ Alok Kumar Son of Bachcha Singh @
Bachanand Singh Resident of Village - Anjani, P.S. - Sarai, District - 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 : Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Goraul P.S. Case No.
368 of 2024, instituted for the offences punishable under
Sections 30(a), 32(2) and 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 3870 liters
liquor was recovered from D.C.M. vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel



for the petitioner further submits that the petitioner is neither owner nor driver of the said vehicle in question. The petitioner was also not arrested on the spot. Name of the petitioner has transpired on the basis of confessional statement of co-accused Mohit Kumar Sharma and Anil Yadav and the same has got no evidentiary value. The petitioner is in custody since 23.09.2024 and has got eight criminal antecedents in which he is on bail in all cases. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 and the period of custody undergone by the petitioner, 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 Goraul P.S. Case No. 368 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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