

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86477 of 2024

Arising Out of PS. Case No.-28 Year-2022 Thana- RAUTA District- Purnia

Md. Sayak Alam Son of Irshad Alam Resident of Village - Near Masjid Ward
No.7, Rani, P.O. - Pathrabari, P.S. - Jokihat, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Bhagat

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2024 Heard Mr. Sumit Kumar Bhagat, learned counsel for
the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for the
State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273 of
the Indian Penal Code and Section 30 (a) of the Bihar Prohibition
and Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
He submits that no incriminating article has been recovered from
the conscious physical possession of the petitioner rather 11.400
liters of foreign liquor is said to have been recovered from the
motorcycle. He submits that the petitioner is the owner of the
seized motorcycle on that basis he has been made accused in this



case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Rauta P.S. Case No. 28 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the



aforesaid amount in the account of Lawyer’s Association Welfare
Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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