

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2098 of 2017

Arising Out of PS.Case No. -179 Year- 2016 Thana -BAUSI District- PURNIA

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Md. Sabir, S/o Late Etwari, Resident of village - Shantu Nagar, Ward No.2,
P.S. + District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 02-02-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Baisi P.S.

Case No.179 of 2016 registered under Section 273 of the Indian

Penal Code besides Sections 30(a) and 41(i) of the Bihar

Prohibition and Excise (Amendment) Act, 2016

The accusation is that in course of checking of the

vehicles by the police, a Maruti car was seen and signal was given

to stop the same but the driver of the Maruti Car tried to flee away

on starting the Maruti car in high speed. On chase, when the

Maruti Car was stopped by the police, two persons boarded on the

same started to flee away but they were apprehended, who



disclosed their name as Chandan Kumar Thakur and Md. Sabir (petitioner). On search of the Maruti Car, 159 bottles, each containing 1 liter Indian Made Foreign Liquor, were recovered and on query, the co-accused Chandan Kumar Thakur disclosed that the Maruti Car is belonging to Chandan Kumari Bharti, who had instructed them to unload the seized Indian Made Foreign Liquor in the house of his relation at Purnia.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was labourer of the co-accused Chandan Kumar Bharti, the owner of the Maruti Car, which is said to be seized by the police with the aforesaid Indian Made Foreign Liquor, and the petitioner had no knowledge about carrying the seized Indian Made Foreign Liquor on the Maruti Car. The petitioner had boarded on the Maruti Car on the instruction of the co-accused Chandan Kumar Bharti to go for Purnia. Further submission is that while the petitioner is accused in one case, as detailed in paragraph-3 to this application, but he is on bail in that case. In the present case, the petitioner is in custody since 19.10.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Purnea, in connection with Baisi P.S. Case No.179 of 2016. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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