

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34302 of 2018

Arising Out of PS.Case No. -32 Year- 2018 Thana -SAKRI District- MADHUBANI

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Pawan Kumar Safi @ Pawan Kumar, S/o Buchai Safi, Resident of Pandaul
(Dhobi Toll), P.S.- Pandaul, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, in the present case, is seeking regular bail in connection with G.R.No.378 of 2018, arising out of Sakri P.S. Case No.32 of 2018, registered for offences alleged under Sections 272, 273/34, 406 and 420 of the Indian Penal Code and Sections 30(a), 36, 38(1) and 41(1) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that as per the allegations when the police party intercepted the truck in question which was full of illicit liquor, altogether 10 to 15 persons were found standing there with the motorcycle and on seeing the police party taking advantage of the darkness they started fleeing away. It is submitted that this petitioner is said to be one of the persons who were caught by the police while trying to flee away from the said place. Learned counsel submits that so far as the recovery of illicit liquor is concerned, it has been recovered from the truck in



question. Learned counsel submits that this petitioner has no relationship with the said truck or the owner of the truck. However, he has been falsely implicated in this case by the police. Learned counsel submits that there is no recovery of any illicit liquor either from his possession or from his residential premises and, therefore, there is nothing to connect the petitioner with the present case. It is submitted that the petitioner has got no criminal history. It is also submitted that one of the co-accused Bikram Yadav has been granted privilege of anticipatory bail in Cr. Misc. No. 32712 of 2018.

Learned APP for the State is present.

Considering the facts and circumstance of the case whereunder the submission of the petitioner is that the petitioner has got no criminal antecedent and the recovery of illicit liquor has been made from the truck which does not belong to this petitioner, let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II –cum- Special Judge, Excise Act, Madhubani, in connection with G.R. No.378 of 2018, arising out of Sakri P.S. Case No. 32 of 2018, subject to the conditions U/S 437(3) Cr.P.C.

Arvind/-

(Rajeev Ranjan Prasad, J)

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