

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4676 of 2018

Arising Out of PS.Case No. -280 Year- 2017 Thana -KHAIRA District- JAMUI

=====

Gopal Barnwal, S/o Shankar Prasad Barnwal, resident of Village-
Mahisouri Chowk, P.S. + District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-02-2018

The petitioner seeks bail in anticipation of his arrest in connection with Khaira P.S. Case No. 280 of 2017 dated 14.09.2017 instituted for the offences under Sections 272, 273, 414, 120B of the Indian Penal Code and Section 30(a) of the Bihar Excise and Prohibition Act, 2016.

It has been alleged in the F.I.R that few policemen in civil clothes were looking for vehicles carrying illicit liquor. One Nano car was signalled to stop but the driver of the said vehicle raised cry that he is attempted to be kidnapped. Because of the hue and cry raised by the driver of the Nano car, many people assembled at the place where the vehicle was signalled to be stopped and taking advantage of the crowd which



had gathered there, the driver of the Nano car managed to effect his escape. The petitioner is driver of the aforesaid Nano car.

Learned counsel for the petitioner has submitted that an absolutely false and concocted case has been lodged against him. The petitioner was serious about the allegation that he was attempted to be kidnapped by some miscreants. He could somehow manage to save his life by running away. Later, for reasons unknown to him, his vehicle which was left by the side of the road was checked by the police party and recovery of 34.7 litres of illicit liquor has been shown from the car. The petitioner has absolutely no knowledge about as to how those liquor bottles were found from his car. Learned counsel for the petitioner has, therefore, argued that after the vehicle was left on the road, liquor bottles were planted and the petitioner was falsely implicated.

In the facts and circumstances stated above and the petitioner not having been apprehended at the spot, he is directed to be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, subject to his furnishing bail bond in the sum of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in



connection with Khaira P.S. Case No. 280 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Ashutosh Kumar, J)

Shageer/-

U		T	
---	--	---	--

