

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66965 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- TERHAGACHH District- Kishanganj

SAKIR Son of Late Samsuddin Resident of Village - Dighli, P.S.- Palasi,
District- Araria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 21-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Special Case No. 37 of 2019, arising out of Terhagachh P.S. Case No. 19 of 2019, registered under Section 30(a), 41(1) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty, two persons were seen on a motorcycle having a sack. On giving signal to stop the motorcycle the rider of the motorcycle accelerated the speed, but motorcycle fell down, thereafter, both started fleeing, but one person was apprehended, who disclosed his name Tarique. On search of sack, 44 bottles, each containing 300 ML Nepali liquor recovered. The apprehended person also disclosed the name of his associate Sakir



(petitioner), who succeeded to flee away.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot, rather, his name has been disclosed by co-accused Tarique, who is said to be apprehended on the spot with a sack containing 44 bottles of Nepali liquor. The petitioner has no criminal antecedent.

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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-II-cum-special Judge (Excise), Kishanganj in connection with Special Case No. 37 of 2019, arising out of Terhagachh P.S. Case No. 19 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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