

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72464 of 2019

Arising Out of PS. Case No.-252 Year-2019 Thana- SAUR BAZAR District- Saharsa

MD. AQWAL BHUTTO @ MD. IQWAL BHUTTO Son of Late Md. Sehadat
Resident of Village - Dinapatti, Ward No. 10, P.S. - Pipra, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Special (Excise) Case No. 280 of 2019, arising out of Sour
Bazar P.S. Case no. 252 of 2019, registered under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret
information about parking of Scorpio loaded with illicit liquor
in the orchard of Lakhan Sah in village-Bakhari, the informant
along with other Police personnel reached there. On search,
2785 sachet, each containing 200 ML, country made liquor
recovered. On query, Lakhan Sah disclosed that Scorpio
vehicle was parked by his grandson Sanjit Sah and one
unknown.



Learned counsel for the petitioner submits that, in fact, petitioner is not named in the F.I.R. In course of investigation, it has come that the said vehicle was belonging to Nurul, who is son-in-law of the petitioner, but petitioner has falsely been implicated in this case to the effect that Nurul had handed over the vehicle to this petitioner, who is aged about 69 years, for repairing. Further submission is that 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 learned Sessions Judge-II-cum-Special Judge, Excise Act, Saharsa in connection with Special (Excise) Case No. 280 of 2019, arising out of Sour Bazar P.S. Case No. 252 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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