

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.171 of 2020

Arising Out of PS. Case No.-71 Year-2018 Thana- PHULPARAS District- Madhubani

Baiju Karori, Son of Rohit Karori, Resident of Village - Mahindwara Navtoli,
P.S.- Phulparas, Distt.- Madhubani. Petitioner

Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate
For the State : Mr.Uma Nath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 12-05-2020 Heard Mr. Sanjay Kumar Jha, learned counsel

appearing on behalf of the petitioner and Mr. Uma Nath Mishra,

learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Phulparas P.S. Case No. 71 of 2018 registered for the offences
under Sections 272, 273, 34 IPC and 30(a), (d), 32(2), 36,
38(i) of the Bihar Prohibition and Excise Act, 2016.

Allegation against this petitioner is that he was
involved in the trade of liquor. He was made accused in two
other cases also.

Learned counsel appearing on behalf of the petitioner
would submit that although huge quantity of liquor was seized
but the case was registered against unknown. The name of the
petitioner surfaced in the instant case on the basis of the
confessional statement of co-accused Arun Purvey. The
petitioner is neither driver nor owner of the truck. Co-accused



Arun Purvey, on whose confessional statement the name of the petitioner surfaced in this case, has been granted bail by a Co-ordinate Bench of this Court on 5.11.2018 in Cr. Misc. No. 66203/2018. Other co-accused have also been granted bail. The petitioner is in custody since 18.07.2019.

Considering the fact that the petitioner has remained in custody for more than nine months in a case where he was not even named, the Court is inclined to grant bail to the petitioner. Let the petitioner, above named, be released on bail on furnishing his personal bond to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Phulparas P.S. Case No. 71 of 2018 on account of the circumstances prevailing due to lockdown in the wake of Covid-19 pandemic, if he is otherwise not required in any other case.

(Anil Kumar Upadhyay, J)

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