

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27745 of 2021

Arising Out of PS. Case No.-664 Year-2020 Thana- TURKAULIYA District- East
Champaran

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Md Usman Son of Md. Mustak Resident of Village - Namak Mandi Mirpur,
P.S.- Mirpur, Distt.- Muzaffar Nagar, State Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-12-2021 Let the defects, if any, be removed within four weeks
after complete start of the physical Court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
272/273/34 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act.

From the truck of the petitioner huge quantity of
liquor was recovered. The driver of the truck was arrested at the
spot. The petitioner was not there. The petitioner has stated on
oath that he has got no criminal antecedent.

Submission is that the truck is a commercial vehicle



and the petitioner had no knowledge that what the driver was carrying.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Turkauliya (Banjariya) P.S. Case No. 664 of 2020, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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