

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3207 of 2022

Arising Out of PS. Case No.-350 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Md. Faizan Son of Meharban R/o Village- Dasmesh Nagar Meerut , State-
Uttar Pradesh At Present Mujhera Sadart, P.S.- Mirapur, District-
Muzaffarnagar, P.S.- Dariyapur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-07-2022 At the outset, learned counsel for the petitioner submits that in the cause of title of the instant anticipatory bail application, after the name and full address of the petitioner, “P.S. Dariyapur” has inadvertently been typed and seeks permission to delete the words “P.S. Dariyapur” mentioned in the cause title after the name and full address of the petitioner.

Permission is granted.

Learned counsel for the petitioner is directed to make correction in the cause title of this anticipatory bail application in course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in a case



registered for the offences punishable under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is no recovery from the conscious possession of the petitioner rather 1623.960 litres of foreign liquor has been recovered from a truck. It is submitted that driver of the said truck was apprehended by the police. It is further submitted that the petitioner is the owner of the truck, therefore, he has also been made accused in this case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.

Petitioner is agree to deposit a sum of Rs. 2,00,000/- (rupees two lakhs) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of



Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd-cum-Special Judge, Excise, East Champaran, Motihari in connection with Excise Case No.350/2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of the aforesaid amount deposited in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

Sanjay/-

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