

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8169 of 2022

Arising Out of PS. Case No.-21 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

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FARMAN SON OF FARUK R/o village- Sikhera, P.S.- Sikhera, District-
Muzaffarnagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 414 of the Indian Penal Code read with Sections 30(a) (b)(c), 38 and 41(a)(b) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 4313.16 litres of liquor from a truck as detailed in the F.I.R.

Learned counsel for the petitioner submits that admittedly the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner came to be implicated in the present case being the owner of the truck, it is further submitted



that the petitioner was completely unaware that his driver Munfad, who was arrested from the truck, was indulging in such nefarious activities in connivance with liquor smugglers. Learned counsel further submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the driver even had not disclosed that the liquor was loaded in the truck with consent of the petitioner rather he had disclosed that the liquor was loaded on the truck by Shahid at Sonipath.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the 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 released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kuchaikote P.S. Case No. 21 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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