

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61196 of 2021**

Arising Out of PS. Case No.-389 Year-2021 Thana- BARHARA District- Bhojpur

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Sharukh Khan Son Of Rafiq Khan Resident Of - Palu Pipri Tola, P.S.-
Patraltu, Ramgarh, District- Ramgarh (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Ms. Veena Rani Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-02-2022 Heard learned counsel for the petitioner and Smt.

Veena Rani Prasad, learned A.P.P. for the State through virtual

court proceedings.

The petitioner seeks bail in connection with Barhara
P.S. Case No. 389 of 2021 instituted for the offences under
Sections 379, 420, 411, 120(B), 467 and 34 of the Indian Penal
Code read with Section 30(a) of the Bihar Prohibition and
Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 07.07.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel further submits that inadvertently at
paragraph '3' of the bail application it was recorded that
petitioner has one criminal antecedent and the same has been



rectified by filing a supplementary affidavit bringing on record that the petitioner is a person with clean antecedent.

Learned counsel for the petitioner submits that allegation is of recovery of 5670 litres of liquor from a Hywaa and the petitioner was apprehended along with Munna Kumar Yadav and they disclosed that liquor belongs to Sumir Ram and Nitesh Singh and the liquor was bought from Deepak Kumar Singh.

Learned counsel for the petitioner submits that the petitioner is the driver and as such was not aware what was loaded by the owner of the Hywaa.

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

Considering the fact that the petitioner is in custody since 07.07.2021, charge-sheet has been submitted in the case, petitioner is a person with clean antecedent and is the driver of the Hywaa, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bhojpur, Ara in connection with Barhara P.S. Case No. 389 of 2021 with a condition that one of the bailor shall be the father of the



petitioner (Rafiq Khan) and in the event if the petitioner is implicated in a case of similar nature, the court below will be at liberty to cancel his bail bonds.

(Satyavrat Verma, J)

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