

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51916 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- PANDAUL District- Madhubani

Pawan Safi @ Pawan Kumar, Son Of Buchai Safi R/O Village- Pandaul
Dhobi Tola, P.S.- Pandaul, District- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh
For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 272 and 273 of the I.P.C. and Sections 30(a), 36, 38 and 41(1) of the Excise Act.

The learned counsel for the petitioner submits that the petitioner has antecedent of three cases and the allegation is of recovery of 828.36 litres of liquor from a Wagon-R Car and from a deserted place near a pond.

The learned counsel for the petitioner submits that the petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that petitioner is neither the owner, nor the driver of the vehicle,



nor the place from where the alleged recovery was made belongs to the petitioner rather the same is accessible to public at large. It is next submitted that petitioner came to be implicated at the instance of Chaukidar with whom he is on an inimical term.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Pandaul P. S. Case No.213 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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