

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53057 of 2022**

Arising Out of PS. Case No.-168 Year-2022 Thana- PANDAUL District- Madhubani

BIKKI SAFI S/o Dandeep Safi R/o village- Pandual, P.S.- Pandual, District-  
Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      14-10-2022                      Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with  
Pandual P.S. Case No. 168 of 2022 (G.R. No. 1382 of 2022)  
registered for the offences punishable under Sections 272, 273  
and 34 of the I.P.C. and Section 30(a) of the Bihar Prohibition  
and Excise Act.

As per prosecution case, there is alleged recovery  
of 781.200 liter foreign liquor from the bush. The apprehended  
co-accused Ugan Paswan disclosed the name of the petitioner  
who fled away from the spot.

Learned counsel for the petitioner submits that



petitioner is in custody since 28.08.2022. Petitioner bears no criminal antecedent. He further submits that petitioner has been falsely implicated in this case. Petitioner has no concern with the alleged recovery. Nothing has been recovered from the possession of the petitioner. Petitioner was not apprehended on the spot.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner and he is not apprehended on the spot, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge cum Special Judge Excise Act, Madhubani in connection with Pandual P.S. Case No. 168 of 2022 G.R. No. 1382 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

alok/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

