

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5447 of 2023

Arising Out of PS. Case No.-79 Year-2022 Thana- PANDAUL District- Madhubani

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Bicky Safi, Sex-M, age about-23 years, Son of Sandeep Safi, Resident of
village - Budhan Jha Tola, Pandaul, P.S.- Pandaul, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 05-05-2023 Heard Mr. Bhavesh Kumar Sah, learned counsel

appearing on behalf of the petitioner and Mr. Rajendra Prasad

Nat, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Pandaul P.S. Case No. 79 of 2022 dated 02.05.2022
registered for the offence punishable under Sections 272, 273,
34 of the Indian Penal Code and Sections 30 (a), 36, 38 and 41
(1) of the Bihar Prohibition and Excise Act as amended up-to-
date.

3. As per the FIR and seizure list altogether 4860
litres of foreign liquors was recovered from a truck bearing
Registration No. RJ-18-GA-7101 and Chassis No.
MAT466422DSF27699.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. No recovery was made from the possession of the petitioner. The petitioner has clean antecedent and to that effect he has made a specific statement in paragraph no. 3 of the bail application.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. The Court below is directed to obtain report with respect to the ownership of the seized vehicle on the basis of Registration Number as well as Chassis Number and Engine Number. If it is found that the seized vehicle is not registered in the name of the petitioner in that case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 2nd Addl. Sessions Judge cum Special Judge, Excise Act, Madhubani in connection with Pandaul P.S. Case No. 79 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the



**petitioner as what has been stated in paragraph no. 3, this
order will loose its force automatically.**

(Purnendu Singh, J)

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