

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54250 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- PURUSHOTTAMPUR District- West
Champaran

=====

Sarfuddin Sheikh @ Saraphudin Sheikh Son Of Khodarkhe Sheikh Village
Gamipur Sheikh Toal, PS - Purshottampur, Dist- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection
with Purushottampur P.S. Case No. 19 of 2023 registered for the
offences punishable under Sections 272 and 273 of the Indian
Penal Code read with Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 36 litres of liquor from a motorcycle.
4. Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and being owner
of the motorcycle he came to be implicated in the present case,



it is further submitted that no prudent person would use his own vehicle for committing an occurrence and thus would get implicated by creating evidence against himself and the petitioner was completely unaware that his neighbour who had taken his motorcycle would misuse the same in the manner as alleged.

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

6. 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. 1,000/- (Rupees One Thousand) 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 Purushottampur P.S. Case No. 19 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

