

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62338 of 2022**

Arising Out of PS. Case No.-125 Year-2021 Thana- BHAGWANPUR District- Vaishali

Haseen Miyan @ Haseen Son Of Miyan Jaan R/O Village- 228 Thiriya
Nizawat Khan, P.S.- Bareilly Cant, District- Bareilly, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Bhagwanpur P. S. Case No. 125 of 2021 registered for the offences punishable under Sections 272, 273, 468, 467, 471 of the Indian Penal Code and Sections 30 (a), 36 and 41(i) of the Bihar Prohibition and Excise Act.



As per the prosecution case, total 3637.8 litres of illicit country-made foreign liquor was recovered from a truck bearing registration no. UP-25-BT-6689.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was not present at the place of occurrence. The petitioner has no concern with the alleged recovery. Learned counsel further submitted that the petitioner is not the owner of the said vehicle. He also submitted that no case is made out against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail petition of the petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Vaishali at Hajipur in connection with Bhagwanpur P. S. Case No. 125 of 2021, subject to conditions as laid down under section 438(2) of the Code of



Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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