

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73083 of 2022

Arising Out of PS. Case No.-116 Year-2022 Thana- SIKTA District- West Champaran

ABBAS SHEIKH S/o Sheikh Sadik R/o village- Baishakhwa, P.S.- Gopalpur,
Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd., APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 30 litres of illicit liquor has been recovered from the motorcycle. One person was apprehended from the spot.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor.



Petitioner has been falsely implicated in this case at the instance of his enemy. He has been made accused in this case on the basis of fact that he is the owner of said motorcycle. It is further submitted that on request of apprehended co-accused, he lend the motorcycle to him for purchasing medicines for his wife. Petitioner was not apprehended on the spot. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 Court below where the case is pending/successor Court in connection with Sikta P.S. Case No. 116 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the



further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in PM Cares fund.

(Anjani Kumar Sharan, J)

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