

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20479 of 2024

Arising Out of PS. Case No.-252 Year-2019 Thana- JOKIHAT District- Araria

Mushtaque @ Mushtak @ Md. Mushtaque S/o Ali @ Alauddin Village-
Bhebhra Chowk Ps- Jokihat Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273,
279, 427, 379, and 34 of the IPC and 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 6.5 litres of liquor from a car.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is neither the
owner nor the driver of the vehicle. It is next submitted that he
came to be implicated at the instance of Chowkidar with whom



he is on an inimical term. It is also submitted that in majority of the cases, the police is implicating the accused persons through Chowkidar or local people but then submits that if Chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police earlier to institute the FIR which further casts aspersion on the case of the prosecution.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jokihat P.S. Case No. 252 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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