

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52413 of 2019**

Arising Out of PS. Case No.-230 Year-2019 Thana- RAJAOLI District- Nawada

1. Raushan Kumar Son of Ravindra Singh, Resident of Village - Badhar, P.S.- Rajauli, Dist.- Nawada.
2. Dharmendra Kumar Son of Mahendra Singh, Resident of Village - Hardia Sector (A), P.S.- Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Renuka Ratnakar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 22-08-2019 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner no.2, Dharmendra Kumar, who is said to have purchased the vehicle in which huge quantity of liquor was being transported.

Prayer is allowed.

Accordingly, the anticipatory bail petition of petitioner no.2, Dharmendra Kumar is dismissed as withdrawn.

Heard both sides.

Petitioner no.1, Raushan Kumar apprehends his arrest in Rajauli P.S. Case No.230 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the police intercepted a vehicle in question and 365.2 litres country made liquor was recovered. Two persons are said to have fled away from the vehicles. It is submitted that petitioner no.1 is



also named in the F.I.R. but there is no material to show that petitioner no.1 was also sitting in the vehicle. The police got secret information but the police did not disclose the source of information. The vehicle belongs to Dharmendra Kumar. Petitioner no.1 has no concern with the vehicle or the liquor recovered from the vehicle.

Having considered the facts that petitioner no.1 is neither the owner of the vehicle nor any person came forward to identify petitioner no.1 as the person, who managed to flee away, petitioner no.1, namely, Raushan Kumar, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge II-cum-Special Judge, Nawada in connection with Rajauli P.S. Case No.230 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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