

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24240 of 2021

Arising Out of PS. Case No.-424 Year-2020 Thana- BAKHARI District- Begusarai

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1. RAM BALAK SADA SON OF LATE NATHUNI SADA R/O VILLAGE- RAUTA MUSAHARI, WARD NO. -16, P.S.- BAKHRI, DIST.- BEGUSARAI
 2. ASHOK SADA SON OF LALIT SADA R/O VILLAGE- RAUTA MUSAHARI, WARD NO.-16, P.S.- BAKHRI, DIST.- BEGUSARAI

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 28-09-2021 Learned counsel appearing on behalf of the petitioner seeks permission to withdraw the application filed on behalf of the petitioner No.1, namely, Ram Balak Sada as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No.1, namely, **Ram Balak Sada** is dismissed as withdrawn.

Heard learned counsel for the petitioner No.2 Ashok Sada and the learned A.P.P. for the State.

The petitioner No.2 Ashok Sada apprehends his arrest in connection with Bakhri P.S. Case no. 424 of 2020, registered under Section 30(a) of the Bihar Prohibition and



Excise Act, 2018 of the Indian Penal Code.

The accusation is of recovery of three litres country made liquor kept in container from the semi constructed house of the petitioner No.2 Ashok Sada.

Learned counsel appearing on behalf of petitioner No.2 Ashok Sada submits that it would appear from the F.I.R. that three litres of country made liquor is said to be recovered from the semi constructed house, which was not being used as dwelling house of the petitioner and same is easily accessible for anyone. The petitioner No.2 Ashok Sada has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner No.2 Ashok Sada be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Bakhri P.S. Case No. 424 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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