

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.506 of 2021

Arising Out of PS. Case No.-313 Year-2020 Thana- RAJAOLI District- Nawada

1. SANDEEP RAJBANSHI Son of Kameshwar Rajbanshi Resident of Village - Kariganw, P.S. - Rajauli, District - Nawada.
2. GORELAL RAJBANSHI Kameshwar Rajbanshi Resident of Village - Kariganw, P.S. - Rajauli, District - Nawada.
3. MANTU RAJBANSHI Son of Krishna Rajbanshi Resident of Village - Kariganw, P.S. - Rajauli, District - Nawada.
4. AJAY AGRWAL Son of Rajkumar Manjhi Resident of Village - Kariganw, P.S. - Rajauli, District - Nawada.
5. Lallan Rajbanshi @ Lallu Son of Late Banraj Rajbanshi Resident of Village - Kariganw, P.S. - Rajauli, District - Nawada.
6. NAWLESH RAJBANSHI @ KAILA Son of Mahendra Rajbanshi Resident of Village - Kariganw, P.S. - Rajauli, District - Nawada.
7. ANIL RAJBANSHI Son of Kameshwar Rajbanshi Resident of Village - Kariganw, P.S. - Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.
For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 25-10-2021 Learned counsel for the petitioners seeks permission to withdraw the application of petitioner nos. 2, 3, 4, 6 and 7, since during the pendency of this application, they have been arrested.

Permission is accorded.

Accordingly, the application of petitioner nos. 2, 3, 4, 6 and 7 is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1 and 5 and learned A.P.P. for the State.

The petitioner nos. 1 and 5 apprehend their arrest in connection with Rajauli P.S. Case No. 313 of 2020 registered under Section 309(a)/41 of the Bihar Prohibition and Excise Act, 2016 pending in the Court of Additional Sessions Judge II-cum-Special Judge Excise Act, Nawada.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Further submission is that on perusal of F.I.R. and seizure list, it would be evident that the alleged recovery was made from motorcycle near the Durga temple, Karigaon, which does not belong to any of the petitioners. Petitioners have no criminal antecedents.

Having considered the facts and circumstances of the case, let the above named petitioner nos. 1 and 5 be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the Additional Sessions Judge II-cum-Special Judge (Excise Act), Nawada in connection

with Rajauli P.S. Case No. 313 of 2020 subject to the condition
as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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