

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4587 of 2022

Arising Out of PS. Case No.-403 Year-2021 Thana- SHEOHAR District- Sheohar

1. BIGU RAM S/o Ramanand Ram @ Ramnandan Ram Resident of Village- Sugiya Katsari, Rajput Tola, Ward No.12, P.S. Sheohar, District- Sheohar.
2. Sambhu Ram S/o Late Haridev Ram Resident of Village- Sugiya Katsari, Rajput Tola, Ward No.12, P.S. Sheohar, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-06-2022 It is submitted by learned counsel for the petitioner that during pendency of this application, petitioner no. 1 has been arrested and, as such, he seeks permission to withdraw this application.

Permission is accorded.

This application is dismissed as withdrawn against petitioner no. 1.

So far as petitioner no. 2 is concerned, the instant application for anticipatory bail has been filed by him apprehending his arrest in connection with Sheohar P.S. Case no. 403 of 2021 instituted for the offence under Section 30(a)(c) and (d) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 105 litres of desi chulai liquor from the house of co-accused.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the place of occurrence. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 2 on bail. The petitioner no. 2 is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sheohar P.S. Case no. 403 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise), Sheohar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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