

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7157 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

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1. MD. SALIM Son of Late- Waheed Resident of Village- Guabari, Balua Tola, P.S.- Kundwa Chainpur, District- East Champaran.
 2. Md. Arif Son of Md. Salim Resident of Village- Guabari, Balua Tola, P.S.- Kundwa Chainpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav
For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

- 3 20-05-2022 In view of the order dated 01.04.2022, the application of petitioner no. 1 is dismissed as withdrawn.

Heard learned counsel for the petitioner no. 2 and the learned A.P.P. for the State.

The petitioner no. 2 Md. Arif apprehends arrest in connection with Kundwa Chainpur P.S. Case No. 179 of 2021 registered under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. From perusal of the first information report, it is evident that the alleged recovery has

been made from the house of petitioner no. 1 Md. Salim, whose application has already been dismissed. The petitioner was only seen while fleeing away. Further he submits that petitioner has no concern with the seized materials.

Having considered the facts and circumstances of the case, let the above named petitioner no. 2 Md. Arif 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 bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, East Champaran at Motihari in connection with Kundwa Chainpur P.S. Case No. 179 of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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