

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5489 of 2022

Arising Out of PS. Case No.-168 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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1. DEEPU KUMAR Son of Suraj Sah Resident of Village - Gangajal, P.s.- Sanjhaul, Dist.- Rohtas, at Present Resident of Village - Amara Talab, P.s.- Sasaram (M), Distt.- Rohtas.
 2. Uma Sah @ Bagha @ Uma Shankar Sah Son of Ayodhya Sah Resident of Village - Badhaiyabag, Karvandia, P.S.- Sasaram (M), Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-05-2022 At the outset, learned counsel for the petitioners seek permission to withdraw this application as against petitioner no. 1, Deepu Kumar.

Permission is granted.

The application stands dismissed as withdrawn as against petitioner no. 1.

Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in connection with Excise Case No. 168 of 2021 registered for the offence punishable under section 30(a) of the Bihar Prohibition and

Excise Act, 2016.

Learned counsel appearing for the petitioner submits that petitioner has been falsely implicated in this case. Nothing has been recovered from the conscious possession of this petitioner. The alleged recovery has been made from a room like structure having asbestos roof on the land of railways which is an open place as is evident from the seizure list. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner no.2, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing of his personal bond to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Excise Case No. 168 of 2021 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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