

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17447 of 2021

Arising Out of PS. Case No.-880 Year-2020 Thana- ARARIA District- Araria

Md. Asgar @ Asgar S/o Md. Bakrid Resident of Village- Gaiyari, W. No.13,
P.S. and District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-02-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 2080 sachets of Eskuf cough syrup each containing 100 ml from a swift car.



One Md. Ismail was apprehended from the place of seizure and he disclosed the name of the petitioner as a person who fled away.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. A supplementary affidavit has been filed to the effect that petitioner has sold his car to the apprehended accused Md. Ismail on 25.09.2020, prior to the lodging of the present case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforestated facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-



cum-Special Judge, Araria in connection with Araria P.S.
Case No. 880 of 2020, Special Case No. 895 of 2020,
subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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