

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10130 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- MUSRIGHRARI District- Samastipur

1. Sunil Kumar Son Of Shrawan Singh @ Shrawan Prasad Singh Resident Of Village - Fatehpur Wala, P.S.- Ujiarpur, Distt.- Samastipur.
2. Shrawan Singh @ Shrawan Prasad Singh Son of Sukhdev Singh Resident of Village - Fatehpur Wala, P.s.- Ujiarpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aprajita

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-08-2022 At the very outset, learned counsel for the

petitioners seeks permission to withdraw the petition of

petitioner no.2, namely, Shrawan Singh @ Shrawan

Prasad Singh.

Permission is accorded.

Accordingly, the petition of petitioner no.2,

namely, Shrawan Singh @ Shrawan Prasad Singh is

dismissed as withdrawn.

Heard learned counsel for the petitioner no.1

and learned APP for the State.

The petitioner is apprehending his arrest in a



case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 79.17 litres of Indian made foreign liquor from the bathan behind the house of the petitioner No. 2. Petitioner No. 1 is son of petitioner No. 2.

It is submitted by learned counsel for the petitioner no.1 that the petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. Co-accused (father of the petitioner) is owner of the place from where, illicit liquor was recovered. A statement has been made in para 3 of the petition that petitioner no.1 has no criminal antecedent.

However, learned APP for the State opposed the prayer for anticipatory bail of petitioner no.1.

In the facts and circumstances of the case, let the petitioner, namely, Sunil Kumar, 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 Additional District Judge-II-cum-Special Judge, Excise Act, Samastipur in connection with Musrigharari P.S. Case No. 188 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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