

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16261 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- RIGA District- Sitamarhi

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1. RITU RAJ @ RITU RAJ Son of Mirtunjay Kumar Singh Resident of Village - Lagama, P.s.- Dumra, Distt.- Sitamarhi.
 2. Pusp Raj Son of Mirtyunjay Kumar Singh Resident of Village - Lagama, P.s.- Dumra, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2022 At the outset of argument learned counsel for the petitioners seeks permission to withdrawn the anticipatory bail petition of petitioner No.1.

Prayer is allowed.

This anticipatory bail petition is dismissed as withdrawn against petitioner No.1.

Heard learned counsel for the petitioner No.2 and the State.

Petitioner No.2 apprehends his arrest in a case registered for the offence punishable under Section 414 of the Indian Penal Code and under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 2739.600 liter of foreign liquor has been recovered from from a truck and a Wagon R car. Petitioner has been made accused in this case on the basis of disclosure made by co-accused.

Learned counsel appearing for the petitioner No.2



submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner No.2 has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner No.2, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum- Special Judge, Excise Act, Sitamarhi in connection with Riga PS case No.258/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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