

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18594 of 2022**

Arising Out of PS. Case No.-523 Year-2021 Thana- SITAMARHI District- Sitamarhi

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Dharmendra Kumar @ Dharmendra Yadav @ Jarda Wala Son Of Sakaldeo Prasad Yadav @ Sakaldeo Rai R/O - Ring Bandh, Janakisthan, Ward No.-1, P.S. And District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 414, 120(B) of the Indian Penal Code and Sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act.

The prosecution story, in brief, is that total 647.535 litres of Indian made foreign liquor was recovered from an asbestos house. The petitioner is alleged to have fled away from the place of seizure.



It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing incriminating has been recovered from the conscious possession of the petitioner. Moreover, similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 17475 of 2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, 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 Additional District and Sessions Judge II-cum-Special Judge (Excise), Sitamarhi in connection with Sitamarhi P.S. Case No. 523 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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