

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20034 of 2022

Arising Out of PS. Case No.-319 Year-2021 Thana- DORIGANJ District- Saran

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1. Santosh Kumar Rai @SANTOSH Kumar S/O Barelal Rai Resident Of Village- Balban Tola, P.S.- Doriganj, District- Saran
 2. Raj Kumar Rai Son Of Prayag Rai Resident Of Village- Balban Tola, P.S.- Doriganj, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-08-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 30(a), 38 of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioners seeks

permission to withdraw the petition with regard to

petitioner No. 1 namely Santosh Kumar Rai @ Santosh

Kumar.

Permission is accorded.

Accordingly, the petition with regard to



petitioner No. 1 is permitted to be withdrawn.

There is recovery of 37 illicit country made liquor from the gumti alleged to be owned by the petitioner No. 2.

It is submitted by learned counsel for the petitioner No. 2 that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The liquor or the gumti from where recovery has been made do not belong to the petitioner No. 2. A statement has been made in para 3 of the petition that petitioner No. 2 has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner No. 2, 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 1st Exclusive Special



Excise Court, Saran at Chapra in connection with
Doriganj P.S. Case No. 319 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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