

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40993 of 2022

Arising Out of PS. Case No.-538 Year-2021 Thana- RAJAOLI District- Nawada

Nitish Kumar Son Of Bhola Ravidas Resident Of Village- Jogni, P.S.- Rajauli,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 18717 of 2022

Arising Out of PS. Case No.-538 Year-2021 Thana- RAJAOLI District- Nawada

Ranjan Yadav @ Chhotu Yadav Son Of Ramashish Prasad Resident Of
Village - Andharwari, P.S.- Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40993 of 2022)

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Rina Sinha

(In CRIMINAL MISCELLANEOUS No. 18717 of 2022)

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2022 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)(d), 41 of the Bihar Prohibition & Excise



Act.

There is recovery of 90 litres Country Made Liquor from forest area which is an open place. Two persons were apprehended from the spot who disclosed their name as Suresh Turiya and Naresh Rajbanshi. The name of the petitioners sprang up on the statement of local Chowkidar.

It is submitted by learned counsel for the petitioners that petitioners were not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioners and except the statement of Chowkidar, no any cogent material was found against the petitioners. It is further submitted that the petitioners have no concern either with the seized illicit liquor, incriminating articles or the place of seizure.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their 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)
each with two sureties of the like amount each to the
satisfaction of learned Exclusive Special Excise Court No.
2, Nawada in connection with Rajauli P.S. Case No. 538
of 2021, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

nirajkrs/-

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