

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19706 of 2022

Arising Out of PS. Case No.-102 Year-2021 Thana- LAXMIPUR District- Jamui

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1. Vijay Shah @ Vijay Sah S/O Paro Shah R/O Village- Navdiha (Netaria), P.S.- Laxmipur, P.O. Nazri, District- Jamui.
 2. Mukesh Shah S/O Basudev Shah R/O Village- Navdiha (Netaria), P.S.- Laxmipur, P.O. Nazri District- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Narayan
		Mrs. Nirmala Kumari
		Mr. Brajesh Sahay
For the Opposite Party/s :		Mr. Binod Kumar No. 3

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2022 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 272, 273 of the Indian Penal Code and

Sections 30(a), 30(d) of the Bihar Prohibition & Excise

Act.

There is recovery of 100 litres of country made

liquor from the forest. The name of the petitioners and

co-accused persons who fled away from the place of



seizure, are disclosed on the basis of secret information received from Police Spy.

Learned counsel for the petitioners seeks permission to withdraw the petition with regard to petitioner No. 1 namely, Vijay Shah S/O Paro Shah.

Permission is accorded.

Accordingly, the petitions with regard to petitioner No. 1 is dismissed as withdrawn.

It is submitted by learned counsel for the petitioners that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner and other co-accused came into light on the basis of secret information received from police spy. It is further submitted that there is no involvement of petitioner in any illicit liquor manufacturing or marketing of it.

In the facts and circumstance of the case, let the petitioners, above named, except petitioner No. 1, 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 Sessions Judge II-cum-Special Court, Excise, Jamui in connection with Laxmipur P.S. Case No. 102 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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