

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21026 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- BUXAR District- Buxar

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1. RAJAN RAI @ RAJAN KUMAR SON OF DWARIKA RAI R/O MOHALLA- GAJADHARGANJ, P.S.- BUXAR (T), DISTRICT- BUXAR
 2. SURAJ @ SURAJ KUMAR SON OF BHIKHARI LAL R/O MOHALLA- GAJADHARGANJ, P.S.- BUXAR (T), DISTRICT- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2022 At the outset, learned counsel for the petitioners submits that petitioner no. 1 namely Rajan Rai has been arrested and as such, this petition has become infructuous, so far as petitioner no. 1 is concerned.

Accordingly, in respect of petitioner no. 1 (Rajan Rai), this petition is dismissed as same has become infructuous.

Heard learned counsel for the parties.

Sole petitioner i.e. petitioner no. 2 apprehends his arrest in a case registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

50.760 liters of foreign liquor has been recovered from possession of co-accused Rohit Rai and Devendra Kumar and petitioner has been made accused on the confession of



aforesaid co-accused persons.

It is submitted on behalf of petitioner that no incriminating article has been recovered from the conscious possession of petitioner (i.e. petitioner no. 2).

Considering the aforesaid facts and circumstances, let petitioner no. 2 namely Suraj @ Suraj Kumar, in the event of his arrest or surrender within a period of six weeks from today, 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 learned Exclusive Special Judge, Excise 1st, Buxar in connection with Buxar (Nagar) P.S. Case No. 88 of 2022, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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