

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21049 of 2022

Arising Out of PS. Case No.-614 Year-2021 Thana- KANTI District- Muzaffarpur

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1. Umesh Rai S/O Late Ram Ashis Rai R/O Village- Madhuban, P.S.- Kanti, District- Muzaffarpur
 2. Manish Kumar S/o Lal Babu Rai R/o village- Madhuban, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

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) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner seeks

permission to withdraw the petition with regard to

petitioner No. 1 namely Umesh Rai.

Permission is accorded.

Accordingly, the petition with regard to

petitioner No. 1 is permitted to be withdrawn.



There is recovery of 1356.480 litres of illicit Indian Made Foreign Liquor from the truck, pick-up van, Maruti Suzuki car and a Centro Car. The petitioner No. 2 is alleged to have fled away from the place of seizure.

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 petitioner No. 2 has no concern either with the seized illicit liquor or the vehicles in question. 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 Exclusive Special



Judge, Excise Court-II, Muzaffarpur in connection with
Kanti P.S. Case No. 614 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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