

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21028 of 2022**

Arising Out of PS. Case No.-115 Year-2021 Thana- CHORAUT District- Sitamarhi

Pawan Kumar S/O Vnod Sah Resident Of Village- Dumharpatti, P.S.- Pupri,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

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

learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Section
414 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition & Excise Act.

There is recovery of 23.40 litres of illicit
country made liquor from a motorcycle and one Bhawesh
Kumar was apprehended who has named the petitioner
as a person who fled away from the place of seizure.

It is submitted by learned counsel for the
petitioner that petitioner was not apprehended from the



spot. Nothing has been recovered from the conscious possession of the petitioner. The seized motorcycle does not belong to the petitioner. A statement has been made in para 3 of the petition except the present one, the petitioner is accused in one other case.

In the facts and circumstance of the case, let the petitioner, 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 Excise Court-II, Sitamarhi in connection with Choraut P.S. Case No. 115 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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