

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26635 of 2022

Arising Out of PS. Case No.-116 Year-2022 Thana- SURSAND District- Sitamarhi

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- 1.Surendra Rai @ Surenda Rai S/O- Ram Padarath Rai R/O- At And P.O.-
Majhaura, P.S. - Sursand, District – Sitamarhi.
2. Vikky Kumar, son of Surendra Rai, resident of at P.O-Majhaura, P.S.-
Sursand, District-Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sita Ram Prasad
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-09-2022 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

Section 414 of the Indian Penal Code and Section 30(a)

of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioners seeks

permission to withdraw the petition with regard to

petitioner No. 2 namely Vikky Kumar since he has been

arrested.

Permission is accorded.



Accordingly, the petition with regard to petitioner No. 2 is dismissed as withdrawn.

There is recovery of 16.20 litres of Indian made foreign liquor from a motorcycle and one Ganesh Mahto was apprehended who disclosed the name of the petitioner.

It is submitted by learned counsel for the petitioner No. 1 that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor or the apprehended accused person or the motorcycle. A statement has been made in para 3 of the petition that petitioner No. 1 is accused in one other case apart from the present one.

In the facts and circumstance of the case, let the petitioner No. 1, 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 Special Judge, Exclusive Excise Court-II, Sitamarhi in connection with Sursand P.S. Case No. 116 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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