

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28347 of 2022

Arising Out of PS. Case No.-363 Year-2021 Thana- CHHATAPUR District- Supaul

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1. PAWAN KUMAR @ PAWAN KUMAR CHOUDHARY @ PAWAN CHOUDHARY Son of Radhe Shyamalan Choudhary Resident of Village - House No.109, Chuni, P.s.- Chatapur, Distt.- Supaul.
 2. Chotu Kumar @ Ravi Kumar Son of Bhogendra Das Resident of Village - Kamat Kishunganj, Chuni, P.s.- Chatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivek Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-09-2022 At the very outset, learned counsel for the petitioners seeks permission to withdraw the petition of petitioner no.1, namely, Pawan Kumar @ Pawan Kumar Choudhary @ Pawan Choudhary.

Permission is accorded.

Accordingly, the petition of petitioner no.1, namely, Pawan Kumar @ Pawan Kumar Choudhary @ Pawan Choudhary is dismissed as withdrawn.

Heard learned counsel for the petitioner no.2 and learned APP for the State.

The petitioner no.2 is apprehending his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

It is a case of recovery of only 7.125 liters of foreign liquor from a motorcycle.

It is submitted by learned counsel for the petitioner



no.2 that the petitioner has falsely been implicated in this case. He further submits that he has no concern with the seized liquor or seized motorcycle and nothing has been recovered from the conscious possession of the petitioner and petitioner no.2 has not been apprehended at the spot. Petitioner no.2 has clean antecedent.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions as well as the fact that only meagre quantity of liquor has been recovered from the petitioner no.2, let the petitioner, namely, Chotu Kumar @ Ravi Kumar, 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 thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-Special Judge (Excise), Supaul in connection with Chatapur P.S. Case No. 363 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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