

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31123 of 2022

Arising Out of PS. Case No.-941 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. SHUSHIL KUMAR @ SUSHIL KUMAR Son of Umesh Prasad Resident of Purani Chowk, Shyam Cinema Road, Ward No. 17, Gopalganj, Police Station- Gopalganj, District - Gopalganj.
 2. Umesh Prasad Son of Vinda Sah @ Binda Sah Resident of Purani Chowk, Shyam Cinema Road, Ward No. 17, Gopalganj, Police Station- Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-09-2022 Vide order dated 22.07.2022, the petition of petitioner no.1, namely, Shushil Kumar @ Sushil Kumar has already been dismissed as withdrawn.

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

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of small quantity of foreign liquor from the banana tree.

It is submitted by learned counsel for the petitioner



that the petitioner has falsely been implicated in this case. He further submits that petitioner no.2 has not been apprehended at the spot and small quantity of liquor has been recovered from the banana tree and the said place does not belong to this petitioner no.2 and petitioner no.2 has clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions as well as the fact that small quantity of liquor was recovered from the banana tree, let the petitioner, namely, Umesh Prasad, 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 II Additional Sessions Judge-cum-Special Excise Court No.1, Gopalganj in connection with Gopalganj Town P.S. Case No. 941 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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