

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32459 of 2022**

Arising Out of PS. Case No.-773 Year-2021 Thana- SARAIYA District- Muzaffarpur

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Rakesh Kumar Sah Son Of Ganesh Sah R/O Village- Manikpur, P.S.- Saraiya,  
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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

2      16-09-2022                      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  
  
Sections 272, 273/34 of Indian Penal Code, Sections  
  
30(a), 32(2), 38(2), 41(1) of the Bihar Prohibition &  
  
Excise Act and Sections 20, 22 of N.D.P.S. Act.

There is recovery of 250 gms Ganja like  
  
substance and 60 litres of country made liquor from the  
  
playground of Manikpur High School. The name of the  
  
petitioner was disclosed by the co-accused, namely,  
  
Deepak Kumar Gupta as a person who has 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 petitioner has no concern either with the apprehended accused persons or the illicit liquor. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Judge Excise, Court No. II, Muzaffarpur in connection with Saraiya P.S. Case No. 773 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

Shageer/-

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