

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32708 of 2022**

Arising Out of PS. Case No.-100 Year-2022 Thana- CHANDAUTI District- Gaya

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1. Dharmendra Chaudhary @ Shiva Kumar S/O Rambali Chaudhary R/O Village- Kaldaspur, P.S.- Chandauti, District- Gaya
 2. Baiju Kumar S/o Ajay Chaudhary R/o village- Kaldaspur, P.S.- Chandauti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Ajay Kumar Jha

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

2 12-08-2022 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

Sections 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 Baiju Kumar since he has been

arrested.



Permission is accorded.

Accordingly, the petition with regard to petitioner No. 2 is permitted to be withdrawn.

There is recovery of 34.5 litres of Indian made foreign liquor.

It is submitted by learned counsel for the petitioner No. 1 that he was not apprehended from the spot. Nothing has been recovered from his conscious possession. The recovery has been made from a lonely place. A statement has been made in para 3 of the petition that petitioner No.1 has no criminal antecedent.

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 Exclusive Special Excise Court No. 1, Gaya in connection with Chandauti



P.S. Case No. 100 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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