

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34498 of 2022

Arising Out of PS. Case No.-726 Year-2021 Thana- MASAUDHI District- Patna

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1. Kaushal Kumar Son Of Late Ajay Prasad Resident Of Village - Gangachak Malkana, P.S.- Masaurhi, District - Patna.
 2. Rakesh Kumar Son of Sri Shiyasharan prasad Resident of Village - badribigha, P.S.- Masaurhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2022 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), 41(i) of the Bihar Prohibition & Excise

Act.

Learned counsel for the petitioners seeks

permission to withdraw the petition with regard to

petitioner No. 2 namely Rakesh Kumar since he has

been arrested.

Permission is accorded.



Accordingly, the petition with respect to petitioner No. 2 is dismissed as withdrawn.

There is recovery of 362.88 of Indian made Foreign Liquor from Tata Safari and Hero Honda motorcycle.

It is submitted by learned counsel for the petitioner No. 1 that petitioner was not apprehended from the spot. Nothing has been recovered from his conscious possession and petitioner has no concern either with the seized vehicles or the illicit liquor. 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 Special Judge, Excise,



Patna in connection with Masaurhi P.S. Case No. 726 of
2021, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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