

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36004 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- NAANPUR District- Sitamarhi

Mukesh Das, Son Of Late Ramaudar Das Resident Of Village- Bathaul, Ward
- 17 Madsudanpur Dumri Mahisautha, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(a)(c) of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 04 litres of liquor from the house of the petitioner
and 01 litre of liquor from the courtyard of Mona Devi.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is also submitted
that house is the joint family property.

Learned A.P.P. opposes the bail application and



submits that it has not been pleaded in the anticipatory bail application that house is a joint family property.

At this stage, the learned counsel for the petitioner seeks permission to withdraw the present anticipatory bail application.

Permission is accorded.

Accordingly, instant petition is dismissed as withdrawn.

However, in the event, if the petitioner surrenders on or before 23.11.2022, the learned trial Court shall dispose of the case on the same day keeping in mind that the recovery is of a very meagre amount of liquor.

(Satyavrat Verma, J)

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