

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38517 of 2022

Arising Out of PS. Case No.-298 Year-2021 Thana- KHIJARSARAI District- Gaya

1. ABIKESH KUMAR @ AVIKESH KUMAR @ BIPUL KUMAR Son of Dilip Kumar @ Dilip Singh Resident of Village - Musepur, P.s.- Khizersarai, Distt.- Gaya.
2. Barak Kumar @ Amish Kumar Son of Vijay Singh @ Vijay Kumar Singh Resident of Village - Musepur, P.s.- Khizersarai, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-08-2022 Vide order dated 03.08.2022, the petition of petitioner no.2 has already been dismissed as withdrawn.

Heard learned counsel for the petitioner no.1 and learned APP for the State.

The petitioner no.1 is apprehending his arrest in a case registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

It is a case of recovery of Mahua Jaba.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that the petitioner has not been apprehended at the spot and he has no concern with the seized Mahua and at the instance



of Chaukidar, the name of the petitioner came into light.

However, learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid submissions, let the petitioner, namely, Abikesh Kumar @ Avikesh Kumar @ Bipul Kumar, 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 Exclusive Special Excise Court No.II, Gaya in connection with Khizersarai P.S. Case No. 298 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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