

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41032 of 2022**

Arising Out of PS. Case No.-494 Year-2021 Thana- KORHA District- Katihar

PRAMOD KUMAR MARAIYA @ PRAMOD KR. GODAIYA Son of Lalu  
Maraiya R/O- Shankarganj, P.S.- Korha, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      25-08-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 14 liter liquor from a scooty.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that no prudent man would use his own vehicle in such illegal purpose and create evidence against himself, further the petitioner had lent his motorcycle to his friend and as such



was completely unaware that the same would be misused in the manner it has been done. Learned counsel further submits that since petitioner was not present at the place of occurrence as such he was not arrested and his friend fled when police stopped him.

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

Permission is accorded.

In the event, if the petitioner surrenders before the learned trial court on or before 15.09.2022, the learned trial court shall dispose of the bail application on the same day keeping in mind the fact that the petitioner was not arrested from the spot and as such nothing was recovered from his conscious possession.

**(Satyavrat Verma, J)**

Rishi/-

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