

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42442 of 2022

Arising Out of PS. Case No.-173 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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1. PINTU RAI @ PINTU KUMAR @ BIRENDRA KUMAR Son of Sri Uma Shankar Rai Resident of village- Mirjapur, P.S- Tajpur, Dist- Samastipur
 2. Chandan Kumar Rai @ Chandan Kumar Son of Sri Harendra Rai Resident of village- Mirjapur, P.S- Tajpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav

For the Opposite Party/s : Mrs. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 After some arguments, learned counsel for the petitioner seeks permission to withdraw this application against petitioner no. 2.

Permission is accorded.

This application is dismissed as withdrawn only against petitioner no. 2.

So far as petitioner no. 1 is concerned, the instant application for anticipatory bail has been filed by him apprehending his arrest in connection with Excise P.S. Case no. 173 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of huge quantity of foreign liquor from the hut of accused Chandan Kumar Rai.

Learned counsel appearing on behalf of the petitioner has



submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the place of occurrence. Except confidential information, nothing has come against the petitioner Pintu Kumar. Neither the petitioners were arrested nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 1 on bail. The petitioner no. 1 is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise Case No. 173 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)-02, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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