

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43569 of 2022

Arising Out of PS. Case No.-136 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

1. RAKESH RAI S/o- Late Mahavir Rai Resident of Village - Chakhaji, P.S.- Bochahan, District - Muzaffarpur.
2. NIRANJAN RAI @ NIRANJAN KUMAR S/o Rakesh Rai Resident of Village - Chakhaji, P.S.- Bochahan, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.2 as he has been arrested during pendency of the anticipatory bail application.

Permission is accorded.

The petitioner no.1 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 1.5 litres of liquor from petitioner's house.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and the police in a mechanical manner implicated him even without verifying whether the house is a joint family property or it belongs to the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner no.1, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bochahan P.S. Case No. 136 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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