

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59511 of 2021

Arising Out of PS. Case No.-351 Year-2021 Thana- GOGRI District- Khagaria

1. CHHIPO MANDAL @ MITHILESH MANDAL Son of Late Ramotar Mandal Resident of Village - Jamalpur, Kurmi Tola, Ward No.14, P.S.- Gogri, Distt.- Khagaria.
2. Amarjit Kumar Son of Mahendra Mandal Resident of Village - Jamalpur, Kurmi Tola, Ward No.14, P.S.- Gogri, Distt.- Khagaria.
3. Rajguru Son of Late Rameshwar Mandal Resident of Village - Jamalpur, Kurmi Tola, Ward No.14, P.S.- Gogri, Distt.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 10-05-2022 Learned counsel for the petitioners seeks permission to withdraw the application of petitioner no. 1 Chhipo Mandal @ Mithilesh Mandal and petitioner no. 2 Amarjit Kumar, since during the pendency of this application, they have been arrested.

Permission is accorded.

Accordingly, the application of petitioner no. 1 Chhipo Mandal @ Mithilesh Mandal and petitioner no. 2 Amarjit Kumar is dismissed as withdrawn.

Heard learned counsel for the petitioner no. 3 Rajguru and learned counsel for the State.

The petitioner apprehends his arrest in connection

with Gogri P.S. Case No. 351 of 2021, G.R. No. 2471 of 2021 registered under Section 30(a) of Bihar Prohibition and Excise Act.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to enmity. Further submission is that the alleged recovery has been made from Bishahari Asthan near water tank, as is evident from the seizure list. Petitioner has no criminal history.

Having considered the facts and circumstances of the case, let the above named petitioner no. 3 Rajguru be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge (Excise), Khagaria in connection with Gogri P.S. Case No. 351 of 2021, G.R. No. 2471 of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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