

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7688 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Ajay Kumar son of Suraj Prasad @ Suraj Prasad Rai, resident Of Village -
Dhanaut, P.O. - Dhanaut, P.S. - Rupaspur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar
For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 20-01-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a), 32(1), 32(3), 41(1) and 41(2) of the Bihar Prohibition & Excise Act.



There is recovery of 22.425 litres of Indian made foreign liquor from the e-rickshaw and 27.50 litres of beer from a garage. The petitioner is alleged to have fled away from the place of seizure.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized contraband or the vehicle in question. A statement to that effect has been made in para 2 of the supplementary affidavit filed on behalf of the petitioner. Moreover, similarly situated co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 16.04.2021 passed in Cr. Misc. No. 354 of 2021.

In the facts and circumstance of the case, let the petitioner, above named, 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 Thousands)
with two sureties of the like amount each to the
satisfaction of learned Special Judge, Excise, Patna in
connection with P.R Case No. 47 of 2020, subject to the
conditions as laid down under Section 438(2) of the
Cr.P.C.

(Sunil Kumar Panwar, J)

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