

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56545 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- MINAPUR District- Muzaffarpur

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Ram Ishwar Rai S/O Mahesh Rai Resident Of Village- Mahdeiya, P.S.-
Meenapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act and Sections 20/22 of the N.D.P.S. Act.

There is recovery of 30 litres of spirit from the bank of the river. Two persons were also apprehended from the spot who disclosed their names as Md. Samsad and Md. Avinash Kumar. From the possession of Md. Samsad, 30 puria smack like substance was recovered



whereas from the possession of Avinash Kumar, 20 puria smack like substance was recovered. One motorcycle was also seized from the place of seizure. The apprehended accused Md. Samsad has disclosed the name of the petitioner.

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 place of seizure or the recovered contraband or the arrested accused persons. A statement has been made in para 3 of the petition that petitioner is accused in two other cases apart from the present one.

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 Exclusive Special Excise Court No. 1, Muzaffarpur in connection with Minapur (Meenapur) P.S. Case No. 85 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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