

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68780 of 2021

Arising Out of PS. Case No.-169 Year-2021 Thana- HULASGANJ District- Jehanabad

1. AJIT KUMAR @ JITAN KUMAR Son of Ganga Yadav Resident of Village - Chhatru Bigha, P.s.- Hulasganj, Distt.- Jehanabad.
2. Rahul Kumar Son of Sirtaram Yadav @ Sitaram Prasad Resident of Village - Chhatru Bigha, P.s.- Hulasganj, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar, Advocate

For the Opposite Party/s : Mr.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 24-06-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner, at the outset, submits that petitioner no.1 during pendency of the present anticipatory bail application was arrested as such the anticipatory bail application with respect to him has become infructuous thus seeks permission to withdraw the anticipatory bail application against petitioner no.1

Permission is accorded.

The petitioner no.2 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 100 litres of liquor from five different motorcycles as detailed in the F.I.R.

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 his name transpired in the confessional statement of apprehended co-accused Neeraj Kumar which has no evidentiary value.

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.2, 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. 2,000/- (Rupees Two 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 Excise Case No. 870 of 2021 (arising out of Hulasganj P.S. Case No. 169 of 2021) subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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