

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7784 of 2023**

Arising Out of PS. Case No.-361 Year-2022 Thana- MADANPUR District- Aurangabad

1. Suman Kumar @ Suman Paswan Son of Durga Paswan @ Durga Prasad  
Resident of Village- Bhadwa Dih, P.S.- Rafiganj, District- Aurangabad
2. Gyanti Kumari Wife of Sanjay Paswan Resident of Village- Bharub, P.S.-  
Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Mukul Kumari

For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      18-04-2023                      After some argument, learned counsel for petitioners  
  
seeks permission to withdraw this anticipatory bail application  
  
with respect to Gyanti Kumari petitioner no. 2.

Permission is granted. This anticipatory bail  
application with respect to petitioner no. 2 is dismissed as  
withdrawn with liberty to the petitioner that if petitioner files  
application for bail before the court below, the learned court  
below will pass order in accordance with law without being  
prejudiced by this order.

Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner no. 1 apprehends his arrest in a case  
registered for the offences punishable under Section 279 of the  
Indian Penal Code and sections 30(a) of the Bihar Prohibition



and Excise Act.

40 litres of country made liquor has been recovered from a motorcycle.

It is submitted that petitioner has falsely been implicated in this case. Name of petitioner transpired in this case during course of investigation. Nothing has been recovered from conscious possession of this petitioner. Petitioner is neither driver nor owner of vehicle in question. Petitioner claims clean antecedent.

Considering the facts aforesaid, Suman Kumar @ Suman Paswan petitioner no. 1, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Aurangabad in connection with Madanpur P.S. Case No. 361 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

vinita/-

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