

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43163 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- PANDAUL District- Madhubani

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1. DILIP KUMAR DAS @ DILIP DAS S/O SRI MANOJ DAS R/O VILLAGE- BUDHAN JHA TOLA PS. PANDAUL, DIST. MADHUBANI
 2. AMARJIT KUMAR DAS S/O SRI MANOJ DAS R/O VILLAGE- BUDHAN JHA TOLA PS. PANDAUL, DIST. MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

- 2 04-08-2023 1. Learned counsel for the petitioners seeks permission to withdraw the application in respect of petitioner no. 1 since during the pendency of this application he has been arrested.
2. Permission is accorded.
3. In view of the above, the application of petitioner no. 1 namely Dilip Kumar Das @ Dilip Das is dismissed as withdrawn.
4. Heard learned counsel for the petitioner no. 2 and learned counsel for the State.
5. Petitioner apprehends arrest in connection with Pandaul P.S. Case No. 77 of 2023 registered for the offences



under Sections 272, 273 and 34 of the Indian Penal code and Section 30(a) of the Bihar Prohibition and Excise Act.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case. Further submission is that the alleged recovery has been made from the house of Dilip Kumar Das and nothing has been recovered from the conscious possession of the petitioner.

7. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioner no. 2, namely, Amarjit Kumar Das is directed to 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 bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Pandaul P.S. Case No. 77 of 2023, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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