

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41870 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- PUSA District- Samastipur

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1. Manjay Sahni @ Manjay Kumar Son Of Ram Chandra Sahni @ Ramchandra Choudhary R/O- Village- Malikour, P.S.- Pusa, District- Samastipur.
 2. Nand Kishor @ Nand Kishore Kumar Son Of Paltan Sahni @ Raj Paltan Chaudhry R/O- Village- Malikour, P.S.- Pusa, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2024 Heard learned counsel for the parties.

2. Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application on behalf of the petitioner no. 2.

3. Permission is accorded.

4. Accordingly, the present anticipatory bail application on behalf of the petitioner no. 2 is dismissed as withdrawn.

5. The petitioner no. 1 apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 32(3), 41, 36 of the Bihar Prohibition and Excise Act.

6. As per prosecution case, total 6.75 litres of illicit Indian foreign liquor kept in a bag was recovered from the veterinary hospital.



7. It is submitted by learned counsel appearing on behalf of the petitioner no. 1 that no incriminating article has been recovered from the conscious possession of this petitioner. Petitioner no. 1 has no concern with the alleged recovery. Petitioner bears fair antecedent.

8. Learned APP for the State has vehemently opposed the bail of the petitioner.

9. Considering the aforesaid facts of the case and also the alleged recovery is not made from the conscious possession of the petitioner, this anticipatory bail is allowed, let the above named petitioner no. 1 in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 learned Exclusive Special Judge, Excise-1, Samastipur in connection with Pusa P.S. Case No. 31 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Ranjeet/-

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