

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63113 of 2024

Arising Out of PS. Case No.-215 Year-2024 Thana- PAROO District- Muzaffarpur

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1. Abhishek Kumar @ Guddu Kumar @ Guddu Rai Son of Surendra Ray @ Surendra Rai R/O Vill.- Kharhania Khas, Rampur Kesho @ Malahi, P.S.- Paroo, Dist.- Muzaffarpur.
 2. Arun Kumar @ Arun Rai Son of Doman Ray @ Doman Rai R/O Vill.- Kharhania Khas, Rampur Kesho @ Malahi, P.S.- Paroo, Dist.- Muzaffarpur.
 3. Guddu Kumar Son of Ram Babu Ray @ Ram Babu Rai R/O Vill.- Kharhania Khas, Rampur Kesho @ Malahi, P.S.- Paroo, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 17-12-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner nos. 2 and 3.
4. Permission is accorded.
- 5. Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to petitioner nos. 2 and 3.**



6. Learned counsel for the petitioner submits that petitioner no. 1 has antecedent of two cases and allegation is of recovery of 186.66 liters of liquor from a pick up vehicle.

7. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and he came to be implicated at the instance of villager and local *Chowkidar*. It is next submitted that petitioner is on an inimical term with the local *Chowkidar*, as such, it appears that the *Chowkidar* implicated the petitioner with a view to save the real culprits taking advantage of his antecedents. It is also submitted that name of the villager who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner no. 1 above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Paroo (Paru) P.S. Case No. 215 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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