

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8265 of 2025

Arising Out of PS. Case No.-330 Year-2024 Thana- PANAPUR District- Saran

1. Rahul Nut @ Rahul Kumar S/o- Devchand Nut @ Uday Nut Village - Bijoli -36 ,P. S - Panapur, District - Saran
2. Raju Nut s/o- Ganesh Nut Village- Satjora Biswa Tola Ps- Panapur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-03-2025

Heard learned counsels for the parties.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw the anticipatory bail application on behalf of Petitioner No. 1 as during pendency of this case, Petitioner No. 1 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application on behalf of Petitioner No. 1, named above, stands dismissed as withdrawn.

5. Petitioner No. 2 apprehends his arrest in a case registered for the offence punishable under Section 30(a) of



Bihar Prohibition and Excise Act.

6. As per prosecution case, 6.8 litres country made liquor (spirit) has been recovered covered with straw near the hut outside the house of co-accused persons.

7. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. No incriminating material has been recovered from the conscious possession of the petitioner and he has been made accused only on the basis of confessional statement of co-accused Bina Devi.

8. Learned A.P.P. for the State opposes the prayer for bail and submits that petitioner has got two criminal antecedents of similar nature.

9. Considering the recovery and criminal antecedents of similar nature, prayer for anticipatory bail of the above named petitioner no. 2 is rejected.

10. Accordingly, this application stands disposed of.

(Prabhat Kumar Singh, J)

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