

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28168 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -BARAULI District- GOPALGANJ

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DHARMENDRA TIWARI @ KAKA Son of Bashist Tiwari @ Tulan
Tiwari Resident of Semaria Jokha Tola, Police Station Barauli District-
Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brisketu Sharan Pandey

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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

2 13-07-2016 Heard learned counsel for the petitioner and learned
Additional P.P. for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 272, 273, 420 of the IPC and 47A of the
Excise Act.

The prosecution case is that on 19.2.1996 the informant
being A.S.I. of Barauli Police Station, received an information that
illicit liquor is being sold in the orchard of Rajesh Singh and when
he reached on the spot along with police party, three persons,
namely, Jitendra Singh, Rajesh Singh and Nagendra Singh, were
apprehended and one person escaped from the scene whose name
was disclosed by apprehended accused as Dharmendra Tiwari @

Kaka. From the hutment of Rajesh Singh 205 sachets of country made liquor of 400 ml. each, 11 kg. wrapper, one old cylinder and 400 litres of raw spirit were recovered.

It is submitted by learned counsel for the petitioner that admittedly recovery was made from the hutment of Rajesh Singh and the petitioner has no criminal antecedent as stated in paragraph-3 of the petition.

Considering the fact that recovery has not been made from the petitioner, it is a case for consideration for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Barauli P.S.Case No. 36 of 2016, pending in the court of the Chief Judicial Magistrate, Gopalganj.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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