

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40055 of 2019**

Arising Out of PS. Case No.-65 Year-2019 Thana- PUNAURA District- Sitamarhi

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Mahesh Kumar Singh @ Mahesh Singh @ Maheshia, Son of Ram Ekbal Singh Resident of Village - Koari (Ranjitpur), P.S.- Punaura, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Jha  
For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

2      01-07-2019                      Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Punaura P.S. Case no. 65 of 2019, registered under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty, informant along with other Police personnel reached at village Kuari then petitioner and one another unknown started fleeing, but on chase, one person was apprehended by the Police, who disclosed his name as Sumant Kumar Singh. On search, 740 bottle, each containing 300 ML Nepali Soufi and 23 sacks containing 2910 bottles, each containing 300 ML Nepali Soufi recovered from the bamboo clamp. The apprehended person disclosed that he came to supply the alleged liquor to the



petitioner.

Learned counsel for the petitioner submits that, in fact, petitioner was not apprehended on the spot and his name has been surfaced in the confessional statement of co-accused Sumant Kumar Singh. Further submission is that since the petitioner is accused in Sitamarhi P.S. Case No. 77 of 2016, under Section 307 I.P.C. and Punaura P.S. Case No. 26 of 2018, under Section 341, 323 and 380 of the I.P.C. due to that reason, the Police got manage to implicate the petitioner in the present case.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the 2<sup>nd</sup> Addl. Sessions Judge-cum-Special Judge, Excise Act, Sitamarhi in connection with Punaura P.S. Case No. 65 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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