

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48323 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- SARSI District- Purnia

KAILASH RISHI Son of Agamlal Rishi Resident of Village- Amnahi, Police Station- Sarsi, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Thakur

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sarsi Police Station Case No.99 of 2019 (Special Excise Case No.449 of 2019) registered under Sections 272 and 273 of the Indian Penal Code besides Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about selling of the liquor in the corner of the road besides the Railway Dhala at Jimanganj Panchayat Fool Tola, the informant along with other police personal reached there. On seeing the police party, two persons started to flee away. While they were chased but succeeded to flee away, taking the advantage of the darkness. Both the persons were identified by the local Chowkidar as Kailash Rishi



(petitioner) and Akhilesh Sharma, who succeeded to flee away. On search, three gallons, each containing 5 liters country made liquor, were recovered from there.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot rather his name has been disclosed by the local Chowkidar. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge (Excise Act), Purnia, in connection with Sarsi Police Station Case No.99 of 2019 (Special Excise Case No.449 of 2019), subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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