

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32190 of 2020
Arising Out of PS. Case No.-393 Year-2019 Thana- RIVILGANJ District- Saran

SANTOSH KUMAR PRASAD, Son of Late Bachcha Jee Prasad, Resident of Village-K.C.Tolla (K.C. College Gali), Police Station-Revilganj, District-Sharan ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Gopal Govind Mishra, Adv.
For the Opposite Party : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-03-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 27.11.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Revilganj P.S. Case No. 393 of 2019, registered under Sections 188 and 272/34 of the Indian Penal Code and 30, 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

In course of patrolling duty a tempo was seen in fast speed, then, signal was given to stop the tempo, bearing registration no. BR-04PA-4424, at that time, three persons boarded, succeeded to flee away jumping from the tempo while the driver of the tempo was caught hold, who disclosed his name Birendra Choudhary. On search, several bottles in volume of 28 liters Indian made foreign liquor concealing in vegetable



sacks recovered. Caught hold person disclosed the names of three persons, including the petitioner, who succeeded to flee away.

Submission is that in fact the petitioner is accused in two similar nature of cases, as detailed in paragraph 3 of the petition in which he is on bail, due to that reason the police implicated the petitioner in the present case also.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Revilganj P.S. Case No. 393 of 2019 shall be released on bail on 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, Saran at Chapra, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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