

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33454 of 2020

Arising Out of PS. Case No.-325 Year-2020 Thana- KOILWAR District- Bhojpur

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DIPU @ NITESH @ NITISH Son of Vishaw Ranjan Singh @ Mithlesh Singh
@ Mithilesh Kumar Singh Resident of Village- Kulhariya, P.S.- Koilwar,
District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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

ORAL ORDER

2 19-03-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the office
vide its notes dated 07.12.2020, within four weeks of starting of
Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Excise Case No. 1086 of 2020, arising out of Koilwar P.S.
Case no. 325 of 2020, registered under Sections 272, 273, 406,
420 and 120-B of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

The accusation is that in course of raid, the
informant and other Police personnel received information that
Abhisek Singh, son of Ramratan Singh and Dipu @ Nitesh, son



of Vishwaranjan @ Mithlesh Singh, both resident of Kulharia have carried liquor, in huge quantity, and the same has been kept in the house of Brajkishore Singh, uncle of Abhishek Singh. Thereafter, informant and other Police personnel reached in village-Kulharia at the house of Brajkishore Singh then two persons started fleeing, while they were chased, but they managed to escape from there. On search of house of Brajkishore Singh, several bottles of Indian Made Foreign Liquor, in volume of 3402.36 litres, recovered. The local Chowkidar disclosed the name of two persons, who succeeded to flee away as Abhisek Singh and Dipu @ Nitesh @ Nitish (Petitioner).

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot nor the petitioner is the family member of Abhisek Singh and his uncle, namely, Brajkishore Singh. Further submission is that due to dirty village politics, the local Chowkidar disclosed the name of petitioner saying that petitioner managed to escape from the spot. Further submission is that petitioner has no criminal antecedent.

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 learned 4th Additonal Sessions Judge-cum-Special Judge, Excise, Bhojpur, Ara in connection with Excise Case No. 1086 of 2020, arising out of Koilwar P.S. Case no. 325 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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