

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34911 of 2020

Arising Out of PS. Case No.-101 Year-2020 Thana- PARBATTa District- Khagaria

RITESH KUMAR, Son of Bedanand Choudhary, Resident of Village -
Sirajpur, P.S.- Parbatta, District – Khagaria ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Binod Kumar, Adv.
For the Opposite Party : Mr. Rajendra Singh, APP

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

ORAL ORDER

2 06-04-2021 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 14.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

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

The petitioner seeks pre-arrest bail in connection with Parbatta P.S. Case No. 101 of 2020 (G.R. No. 859 of 2020), registered under Sections 30(a), 37(c) and 37(d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

On receiving the secret information about arrangement of the liquor party at the saw mill of Ritesh Kumar (petitioner) in village Serajpur, the informant, along with other police personnel, reached at Serajpur, at the saw mill of Ritesh Kumar (petitioner) where three persons were present. On seeing the police party, they started to flee away, but, on chase two were apprehended, who disclosed their names Bipulav Kumar



and Laddu Kumar and they also disclosed the name of Ritesh Kumar (petitioner), who succeeded to flee away. On search, Laddu Kumar was found in possession of one bottle of 200 ml Indian made foreign liquor, in breath analyzer test Bipulav Kumar was found consuming liquor, whereas no sign of taking the liquor was found on breath analyzer test of Laddu Kumar.

Submission is that the petitioner has no criminal antecedent, he was not apprehended on spot and mere on suspicion he has been implicated in this case.

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 Parbatta P.S. Case No. 101 of 2020 (G.R. No. 859 of 2020) 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 Special Judge, Excise, Khagaria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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