

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34779 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- MAIRWAN District- Siwan

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SANTOSH PASI @ SANTOSH KUMAR CHAUDHARI, son of
VISHWANATH PASI @ Vishwanath Chaudhari, Resident of Village-
Bishunpura Bazar, P.S.- Mairwan, District- Siwan ... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party : Mr. Jharkhandi Upadhyay, APP

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

ORAL ORDER

2 23-03-2021 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 14.12.2020, 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
Mairwa P.S. Case No. 79 of 2020, registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that when the informant and other
police personnel reached at Bishunpura Bazar, then, on seeing
the police party five persons started to flee away while they
were chase, but, succeeded to flee away. On search a plastic
sack, containing two plastic pots, each containing 500 ml
country made liquor, 3 pouches, each containing 200 ml country



made liquor and 36 pouches, each containing 180 ml Indian made foreign liquor recovered behind the house of Tufani Pasi.. The persons, present there, on query, disclosed the names of five persons, including the petitioner, who succeeded to flee away.

Submission is that petitioner was not apprehended on spot, but, his name has surfaced on query by the informant and the petitioner has no criminal antecedent.

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 Mairwa P.S. Case No. 79 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 Additional District & Sessions Judge II-cum-Special Judge, Excise, Siwan, 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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