

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36690 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- KUTUMBA District- Aurangabad

BALRAM KUMAR SINGH @ JHUNU SINGH SON OF SRI AMOD SINGH RESIDENT OF VILLAGE - LABHARI, P.S. - KUTUMBA, DISTRICT – AURANGABAD.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Shailesh Kumar Singh, Advocate.
For the State : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 25-06-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 18.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection with Kutumba P.S. Case No.107 of 2020 registered under Sections 30(a) and 37(c) of the Bihar Excise Prohibition Amendment Act, 2018.

The accusation is that on receiving the secret information about carrying and selling the liquor by Balram



Kumar Singh alias Jhunu Singh (petitioner) near his house in village-Labhari, the informant along with other police personnel, who were on patrolling duty, reached at the house of Balram Kumar Singh alias Jhunu Singh (petitioner). On seeing the police party, six persons started to flee away from there. While out of six persons, five were apprehended but one succeeded to flee away taking the advantage of the darkness. The apprehended persons disclosed their name as Bhikhar Ram, Bablu Sharma, Pancham Kumar, Dharmendra Kumar, son of Vindeshwar Singh and Dharmendra Kumar, son of Late Ramashish Singh and they also disclosed the name of the person, who succeeded to flee away as Balram Kumar Singh alias Jhunu Singh (petitioner). On the indication of apprehended persons, from near the cattle-shed of Amod Singh, a plastic sack containing 67 bottles, each containing 300 ml. country made liquor, were recovered.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot rather the name of the petitioner has been disclosed by the apprehended persons due to dirty village politics. 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-VII-cum-Special Judge, Excise, Aurangabad, in connection with Kutumba P.S. Case No.107 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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