

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35718 of 2020

Arising Out of PS. Case No.-289 Year-2020 Thana- BASANTPUR District- Siwan

AJAY SAH, Son of Satan Sah, Resident of Village- Basaon, Turha Toli, P.S.-
Basantpur, District- Siwan ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Adv.
For the Opposite Party : Mr. Uday Chand Prasad, APP

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

ORAL ORDER

2 03-05-2021 As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 16.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Basantpur P.S. Case No. 289 of 2020, registered under Sections 272, 273 and 308 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

On receiving secret information about selling the liquor by Ajay Sah (petitioner) in village Basaon Turha Toli, the informant, along with other police personnel, reached there. On seeing the police vehicle, one person, who was moving with bag, fled away throwing the bag, in a bush, in the back of the temple, containing 11 bottles, each containing 375 ml, and one bottle, containing 180 ml, of Indian made foreign liquor. On query, villagers disclosed that the person who fled away was



Ajay Sah (petitioner).

Submission is that the petitioner was not apprehended on spot and the alleged bottles of liquor was recovered from the bush behind the temple while it is alleged that the villagers disclosed the name of the petitioner as a person who succeeded to flee away throwing away the bag, but, the name of the villager has not been disclosed. 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 Basantpur P.S. Case No. 289 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 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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