

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.569 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- GARDANIBAG District- Patna

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ARUN KUMAR, SON OF SHRI BHAGWAN RAM RESIDENT OF
VILLAGE- DARWA, P.S.- MOHANIYA, DISTRICT- KAIMUR.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

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

ORAL ORDER

2 23-08-2021 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 31.12.2020, 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 through video conferencing.

The petitioner apprehends his arrest in connection with Special Case No. 1303 of 2020, arising out of Gardanibagh P.S. Case no. 75 of 2020, registered under Section 30(a), 37(b) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty, two motorcycles were seen parked on the side of the road, then informant along with other Police personnel reached there,



where there was light seen in the hut. On seeing the Police party, 3 to 4 persons, who were present in the hut, started fleeing, but, on chase, one person was apprehended, who disclosed his name Vishnu Vallabh and on search of hut, three bottles, each containing 180 ML Indian Made Foreign Liquor recovered. The apprehended person disclosed the name his associate as Arun Kumar (petitioner), but, he did not disclose the name of other person.

Learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner and the 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 Special Judge, Excise, Patna in connection with Special Case No. 1303 of 2020, arising out of Gardanibagh P.S. Case no. 75 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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