

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37884 of 2020

Arising Out of PS. Case No.-275 Year-2020 Thana- GAYA MUFASIL District- Gaya

PAPPU CHAUDHARY ALIAS PAPPU KUMAR SON OF LATE PRABHU
CHAUDHARY RESIDENT OF VILLAGE - BHADEJA, P.S. - MUFFASIL,
DISTRICT – GAYA.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

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

ORAL ORDER

2 07-07-2021 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 21.12.2020, 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 Muffasil P.S. Case no. 275 of 2020, registered under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The accusation is that on receiving secret information about carrying of liquor by Pappu Chaudhary @ Pappu Kumar (Petitioner) in his village-Bhadeja loading on



tempo, the informant along with other Police personnel reached in village-Bhadeja at the door of Pappu Chaudhary (Petitioner), where a tempo was found parked. On seeing the Police party, two persons started fleeing, but, on chase, the driver of the tempo was apprehended while other person was sitting on back seat of the tempo managed to escape from there. The apprehended person disclosed his name Santosh Kumar. The local Chowkidar also identified the person, who succeeded to flee away as Pappu Chaudhary (Petitioner). On search of tempo, 119 pouches, each containing 500 ML Beer, recovered.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot nor the petitioner is owner of the seized tempo. Further submission is that due to dirty village politics, the petitioner has falsely been implicated in this case mere on suspicion by local Chowkidar. 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 Excise Court,



Gaya in connection with Muffasil P.S. Case No. 275 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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