

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37334 of 2020

Arising Out of PS. Case No.-29 Year-2019 Thana- MAHINDWARA District- Sitamarhi

DINESHWAR KUMAR @ DINESHWAR SAH son of Radhe Sah Resident
of village- Olipur Sarhachia, P.S.- Mahindwara and District- Sitamarhi.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate.
For the State : Mr. Mithlesh Kumar Khare, A.P.P.

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

ORAL ORDER

2 05-07-2021 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 19.12.2020, 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 Mahindwara P.S. Case No.29 of 2019 registered under Sections 272 and 273 of the Indian Penal Code besides Sections 30(a) (b) (c) (f), 34, 36 and 41 of the Bihar Excise Act.

The accusation is that in course of patrolling duty, when the informant along with other police personnel reached at



the Olipur Sareh, then saw the light on and some persons gathered there and some persons indulged in preparation of the illicit liquor. When the raid was conducted to be made, the aforesaid persons started to flee away and 10-12 persons succeeded to flee away taking the advantage of the darkness, however, one person was apprehended, who disclosed his name as Kamlesh Kumar and also disclosed the name of 13 other persons including the name of the petitioner, who succeeded to flee away. On search, 78.3 liters of Indian Made Foreign Liquor was recovered from there.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot rather his name has been disclosed by the co-accused Kamlesh Kumar, who is said to be apprehended by the police. 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-II-cum-Special Judge, Excise Act, Sitamarhi, in connection with



Mahindwara P.S. Case No.29 of 2019, subject to the conditions
laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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