

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.173 of 2021

Arising Out of PS. Case No.-583 Year-2019 Thana- MAJHAULIA District- West Champaran

DINANATH SAH Son of Late Hira Sah Resident of Village - Sarisawa Bazar,
Sarisawa, P.S.- Majahulia, Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh

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

ORAL ORDER

2 17-08-2021 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 30.12.2020, 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 Majhulia P.S. Case no. 583 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty, informant received information regarding keeping of liquor by Dinanath Sah (Petitioner) in village-Sarisawa Bazar, then informant and other Police personnel reached there, but, the door of the house of Dinanath Sah was found locked, anyhow,



door was opened and, on the first floor, one person was seen concealing something in the drum then that person was caught hold and on search, 12 bottles, each containing 180 ML, 10 bottles, each containing 180 ML of different brands of Indian made foreign liquor and 08 bottles beer, each containing 500 ML recovered from the drum. The apprehended person disclosed his name Mannu Kumar Gupta son of Dinanath Sah (Petitioner).

Learned counsel for the petitioner submits that it would appear from F.I.R. that Mannu Kumar Gupta, son of petitioner was found concealing the seized liquor in the drum, but, the petitioner being father of Mannu Kumar Gupta has falsely been implicated in this case. Further submission is that while the petitioner is accused in two cases, as detailed in para- 3, but, he is on bail.

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 Bettiah, West Champaran in connection with Majhaulia P.S.



Case No. 583 of 2019, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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