

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40955 of 2020

Arising Out of PS. Case No.-833 Year-2020 Thana- MADHAURAH District- Saran

PAPPU JAISWAL @ PAPPU KUMAR JAISWAL SON OF LATE TERAS
JAISWAL RESIDENT OF VILLAGE - TALPURAINA, P.S. -
MARHOWARAH, DISTRICT – SARAN.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate.
For the State : Mr. Rajendra Prasad Nat, A.P.P.

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

ORAL ORDER

2 24-07-2021 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 29.12.2020, 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 Marhowrah P.S. Case No.833 of 2020 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty on receiving the secret information to the effect that Pappu Jaiswal (petitioner) has kept the liquor concealing in the field of Shivnath Mahto in village-Talpuraina Mirzapur and is selling the same amongst the people, the informant along with other police personnel



reached there. On seeing the police vehicle, one person started to flee away. While he was chased but he succeeded to flee away taking the advantage of the narrow lane. On seeing the police party, several persons gathered there. On search, 5 liters country made liquor was recovered from there. The persons present there disclosed that the seized liquor is of Pappu Jaiswal (petitioner).

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot nor the field from which the alleged recovery is said to be made is belonging to the petitioner. Due to dirty village politics, the petitioner, who has no criminal antecedent, has falsely been implicated in this case.

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/Special Judge, Saran, in connection with Marhowah P.S. Case No.833 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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