

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.572 of 2021

Arising Out of PS. Case No.-324 Year-2020 Thana- BIHTA District- Patna

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PAPPU KUMAR, Son of Sanjay Rai @ Sanjay Prasad R/o Village - Maudhi,
P.S. - Bihta, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeeb Kumar Sanju, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, 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 01.01.2021, 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 Bihta P.S. Case no. 324 of 2020, registered under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

The accusation is that in course of patrolling duty,
when informant along with other Police personnel reached in
village-Maudhi, at the bank of Sone river, then four persons,
who were present there with motorcycle jumped in the Sone
river and succeeded to flee away. The local Chowkidar



disclosed the name of four persons, who managed to escaped from there, as Jai Rai, Bhola Rai, Panchraj Kumar and Pappu Kumar (Petitioner). On search, several pouches of country made liquor in volume of 700 litres, kept in sack, recovered. A Honda Sine motorcycle, without registration number, was also found there.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot, rather, the name of petitioner and others have been disclosed by the local Chowkidar due to dirty village politics. Further submission is that the seized motorcycle is not belonging to the petitioner and 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 Bihta P.S. Case No. 324 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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