

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1592 of 2021

Arising Out of PS. Case No.-297 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

SANTOS @ BANTI SAH son of Sri Bhagwan Sah Resident of Village-Dighwa, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-09-2021 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 04.01.2021, 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 Baikunthpur P.S. Case no. 297 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 the informant and other Police personnel reached in village-Didhwa near the paddy field then saw some persons were present there. On seeing the Police party, all started fleeing, while they were chased, but they managed to escape



from there. On search of paddy field of Shiv Narayan Rai of village-Didhwa, 18 pouches, each containing 180 ML Indian Made Foreign Liquor recovered. The local persons disclosed that Santos @ Banti Sah used to sell the liquor from the paddy field.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot. The name of the petitioner has been disclosed by villagers of Didhwa to the effect that the petitioner used to sell the liquor keeping the same in the field, but the name of villagers has not been disclosed. 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 Additional Sessions Judge-II-cum-Special Judge (Excise Act), Gopalganj in connection with Baikunthpur P.S. Case no. 297 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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