

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39979 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -THAWE District- GOPALGANJ

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Prem Kumar Pandit @ Prem Parvat S/o Late Rajendra Parvat R/o Village-
Chhap Mathia, P.S.- Mirganj, District-Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Yogendra Prasad Sinha, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-09-2016

Heard both sides.

The petitioner apprehends his arrest in Thawe P.S.
Case No. 44/2016 registered under Sections 272, 273/34 of the
Indian Penal Code and Section 47(A) of the Excise Act.

The informant got secret information that illicit spirit
was being illegally sold in the house of Late Chunnu Prasad. On
such, the house of Late Chunnu Prasad was raided and, on chase,
Shankar Mani S/o Late Chunnu Prasad was apprehended. Two
accused persons managed to flee away. From the house, illicit
spirit and other equipments were recovered. Shankar Mani
disclosed the names of Shiv Mani son of Chunnu Prasad and Prem
Kumar Pandit (the petitioner). It is submitted that the petitioner
was not selling country made liquor. His name has falsely been
implicated in the case. Shankar Mani and his brother Shiva Mani

were selling country made liquor in their house. The house exclusively belongs to Shankar Mani and Shiv Mani. The petitioner has no manner of concern with that house. Nothing has been recovered from the possession of the petitioner or the house of the petitioner.

Learned A.P.P. has, however, opposed the prayer for anticipatory bail.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in Thawe P.S. Case No. 44/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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