

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56331 of 2017

Arising Out of PS. Case No.-164 Year-2017 Thana- SISWAN District- Siwan

Sudama Pandey, son of Rajendra Pandey, resident of Village + P.S.-
Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Naresh Prasad

For the Opposite Party/s : Sri Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-12-2017 Heard Sri Naresh Prasad, learned counsel for the
petitioner and Sri Upendra Kumar, learned Additional Public
Prosecutor.

The sole petitioner, who is in custody since 23.09.2017 in
connection with Siswan P.S. Case No. 164 of 2017, registered
for the offence under Section 272, 273 and 308 of the Indian
Penal Code , 1860 and Section 30(A), 38(I) of the Bihar
Prohibition And Excise Act , 2016, has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that
it is a peculiar case in which the Police alleged that four
persons on two motorcycles carrying Indian make foreign
liquor were moving, however after being intercepted by the
Police two accused persons fled away and two motorcycles
were found at the place of occurrence and petitioner along with



one another was arrested. He has argued that in the F.I.R. total recovery of 34.2 ml of Indian make foreign liquor has been shown to be recovered but it has not been indicated as to what quantity of liquor was recovered from which motorcycle. It has been argued that petitioner was not at all carrying anything and he has been falsely apprehended in the present case.

In view of the facts and circumstances as well as period of custody , let the petitioner Sudama Pandey be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge – cum- Special Judge, Siwan / concerned court in connection with Siswan P.S. Case No. 164 of 2017 .

(Rakesh Kumar, J)

praful/-

U		T	
---	--	---	--

