

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 29016 of 2017

Arising Out of PS. Case No.-69 Year-2017 Thana- Chauradano District- East Champaran

1. Indal Paswan, Son of Jagrnath Paswan,
2. Tunna Pandey @ Tunna Kumar Pandey, Son of Lakshmi Narayan Pandey.

Both residents of Village- Sripur, Police Station- Chhauradano,
District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Suresh Mukhiya
For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 21-09-2017 At the very outset, Sri Suresh Mukhiya, learned counsel for the petitioners, in presence of Sri Anil Kumar, learned Addl. Public Prosecutor, submits that since petitioner no. 1 (Indal Paswan), during pendency of this petition, surrendered and taken into custody, the present petition, so far as petitioner no. 1 is concerned, has become infructuous.

Accordingly, the petition, so far as petitioner no. 1 (Indal Paswan) is concerned, stands dismissed as same has become infructuous.

Learned counsel for the petitioner (Tunna Pandey) submits that in the present case, the petitioner has falsely been implicated only on the basis of confessional statement of one of



the co-accused, from whose possession, huge quantity of Nepali country-made liquor was recovered. Learned counsel for the petitioner has drawn my attention to statement made in paragraph – 3 of the petition to show that petitioner is having clean antecedent.

Considering the fact that petitioner's name has surfaced on the disclosure of the co-accused as well as clean antecedent of the petitioner namely Tunna Pandey, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Tunna Pandey @ Tunna Kumar Pandey 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 learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari in connection with Chhauradano P.S. Case No. 69 of 2017, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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