

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42138 of 2017

Arising Out of PS.Case No. -136 Year- 2017 Thana -ANDER District- SIWAN

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Amod Pandey Son of Ram Awtar Pandey, R/o Village- Laxman Chowk,
P.S.- Darauli, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mrs. Sahin Begam, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-09-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
07.07.2017 in connection with Ander P.S. Case No. 136 of
2017 registered for the offence punishable under Sections
272, 273 and 308 of the Indian Penal Code and Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that during patrolling in the night, two persons
were found coming on a motorcycle and seeing the police
personnel, they tried to flee away and one person fell down
from the motorcycle with two bags, who was injured and



from the bags about 48 litres of country made liquor was seized. Accordingly, seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated by the police. He submits that nothing has been recovered from his conscious possession and that he was injured on the road and the bags containing liquor does not belong to him.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-2nd –cum- Special Judge (Excise), Siwan in connection with Ander P.S. Case No. 136 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner and that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to



move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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