

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58522 of 2017

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

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Rajan Pandey @ Bangali @ Bangali Pandey S/o Prem Das Pandey @ Prem Pandey, R/o Village- Raghunathpur, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Adv.

For the Opposite Party/s : Mr. YOGENDRA KR. SINGH(APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Sections 272, 273, 308 of the I.P.C. and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 34.2 liters wine is recovered from the motorcycle.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.09.2017 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 34.2 liters wine is recovered from the motorcycle. The petitioner was not arrested on the spot. The name of the petitioner has come on the basis of confessional



statement of co-accused made before police as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds 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, Siwan in connection with Siswan P.S. case No.164 of 2017.

(Sudhir Singh, J)

Narendra/-

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