

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34344 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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Tunna Pandey @ Tuna Pandey, Son of Lakshmi Narayan Pandey, At
Sripur, P.S.- Chhauradani, Dist- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party : Mr. S. Ehteshamuddin, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 20-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 272, 273 / 34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

48 liters of Nepali liquor is said to have been recovered from the four accused persons who were on the motorcycle out of them one Rahul Kumar was apprehended while others managed to escape. The said Rahul Kumar disclosed the name of the petitioner and others as his fleeing accomplices.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious



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physical possession of the petitioner. He has no concern either with the seized liquor or the motorcycle in question. He has been falsely implicated in this case by the aforesaid Rahul Kumar due to animosity. He was not apprehended on the spot. Though one more case under the Excise Act is pending against the petitioner but he is on bail in the said case. He has been languishing in custody since 23.03.2018.

In the facts and circumstances of the case, the above named petitioner 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 Additional Sessions Judge-IVth-cum-Special Judge Excise, East Champaran in connection with Chhauradano P.S. Case No. 19 of 2018.

(Prakash Chandra Jaiswal, J.)

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