

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4843 of 2018

Arising Out of PS. Case No.-434 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

Santosh Raj Pandey, Son of Shri Yogendra Pandey, Bureau Chief Tunes
Samay New Network (Sahara Samay), Resident of ABC Tower, Brahmpura,
P.S.- Brahampura, District- Muzaffarpur. Petitioner

Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. SRI RAM NARESH RAY

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in connection with
Excise Case No. 434 of 2017 registered for the offences
punishable under Sections 30 (A), 38 and 32 (2) of the Bihar
Prohibition and Excise Act, 2016.

Allegedly, from the Scorpio of the petitioner huge amount
of illicit liquor was recovered and on the basis of confessional
statement of the driver, co-accused Md. Chand, the petitioner
has been implicated in this case.

Submission is of false implication and that the alleged
recovery is of 27.11.2017 in the evening and the petitioner has
lodged Complaint Case No. 2857 of 2017 in the court of learned
Chief Judicial Magistrate, Muzaffarpur regarding theft of his
vehicle by co-accused Md. Chand who was also the driver of the



petitioner and that complaint case has been lodged on 27.11.2017 itself i.e. before the time of alleged recovery. On the basis of that complaint case Brahampura P. S. Case No. 327 of 2017 has been registered which is under investigation. The petitioner is Bureau Chief of Sahara Samay News Network and without any fault he is apprehending his arrest in this case.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that the Complaint Case No. 2857 of 2017 was lodged by the petitioner and in the evening the alleged recovery from the vehicle of the petitioner has been shown and as such, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge-cum-Special Judge, Excise, Muzaffarpur in connection with Excise Case No. 434 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

avin/-

(Jitendra Mohan Sharma, J)

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