

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14552 of 2018

Arising Out of PS.Case No. -324 Year- 2017 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Krishna Pandey, S/o Late Ramjanm Pandey, R/o Vill- Balaha
(Adamapur), P.S.- Baikunthpur, Dist- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma
Md. Nurul Hoda

For the Opposite Party/s : Mr. Pancha Nand Pandit

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
27.12.2017 in connection with Baikunthpur P.S. Case No. 324/17
for offences punishable under Sections 272, 273 of the Indian
Penal Code and Sections 30(a), 36 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on a secret tip off the house of one Pankaj
Kumar was raided and from the house 591.120 litres of foreign
illicit liquor was recovered, and, accordingly, a seizure-list was
prepared. Allegation upon the petitioner is that he is the uncle of
co-accused Pankaj Kumar and was apprehended from the house.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and nothing has been recovered from the conscious possession of the petitioner or the house of the petitioner. He submits that he has been falsely implicated in the aforesaid case only on the basis of suspicion, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 2nd Addl. Sessions Judge cum Special Judge, Gopalganj, in connection with Baikunthpur P.S. Case No. 324/2017.

(Nilu Agrawal, J)

Rajesh/-

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