

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4552 of 2019

Arising Out of PS. Case No.-466 Year-2018 Thana- KUDRA District- Bhabhua (Kaimur)

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Dimplu Pandey @ Dimpal Pandey aged about 24 years Male, son of Wakil Pandey, Resident of Village - Barka RamDihara, P.S.-Kudra, District-Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioner and learned APP representing the State.

Petitioner is seeking anticipatory bail in connection with Kudra P.S. Case No.466 of 2018 bearing its Excise Reg. No. 932 of 2018 registered for the offences punishable under Section 30 (A) of the Bihar Prohibition and Excise Amendment Act, 2018.

Learned counsel for the petitioner submits that from the seizure list itself it would appear that the recovery is from the house of one Banka Pandey. There is no recovery of illicit liquor from the possession of the petitioner in any form and in fact, Banka Pandey has been granted anticipatory bail by a learned Coordinate Bench of this Court in Criminal Miscellaneous No.79839 of 2019. It is also submitted that the co-accused Bijali Singh has also got privilege of anticipatory bail in Criminal Miscellaneous No.2615 of 2019. The petitioner has also got no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for bail.



Considering the facts and circumstances of the case, where it appears that there is no recovery of illicit liquor from the possession of the petitioner and the co-accused have been granted the privilege of anticipatory bail as also that the petitioner has got no criminal antecedent, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/-(rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge 6th-cum-Special Judge (Excise Act), Kaimur at Bhabua in connection with Kudra P.S. Case No.466 of 2018 bearing its Excise Reg. No. 932 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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