

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10086 of 2019

Arising Out of P.S. Case No.-180 Year-2018 Thana- DHANAHA District- West Champaran

SANDDEEP PATHAK, aged about 45 years, Male, Son of Late Amla Pathak
Resident of Village- Mahui Dih, P.S.- Ramnagar, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-02-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 30.11.2018 in connection with Dhanaha P.S.Case No.180 of 2018 for the offence alleged under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police personnel is that during course of vehicle checking, one Scorpio vehicle in high speed was intercepted and the driver managed to flee away. On search from the vehicle 84.90 ml. of Indian Made Foreign Liquor was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent, was not apprehended at the spot and simply because he is the owner of the vehicle, he has been made accused in the present case. The vehicle in question was taken by his driver who had committed the said offence. Petitioner undertakes to cooperate in the investigation and not to induce witnesses or tamper with the prosecution evidence.

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

Considering the facts and circumstances and the nature of allegations, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Dhanaha P.S.Case No.180 of 2018 to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

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(Nilu Agrawal, J)

