

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22243 of 2019

Arising Out of PS. Case No.-469 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

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Bimal Kumar Pandey @ Bimal Pandey Son of Late Ramnaresh Pandey,
Resident of Village- Chakbhatandi, Post- Dharhara, Ward No.-12, Police
Station- Hajipur Sadar, District- Vaishali. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan Sinha

For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-04-2019 Heard both sides.

The petitioner apprehends his arrest in Hajipur Sadar P.S. Case No.469 of 2018 registered under Section 414 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant saw a motorcycle and a four-wheeler car but seeing the police, the accused persons tried to flee away. The motorcyclist managed to flee away. A person who was sitting in front of the seat of a four-wheeler also managed to flee away. The driver of the four-wheeler was apprehended, who disclosed his name as Aman Kumar. On search, 305.64 litres of liquor was recovered from the vehicle. Aman Kumar, the driver of the vehicle, disclosed the names of Mithilesh Sahni and Vimal Pandey (motorcyclist).

Learned counsel for the petitioner submits that the



petitioner was not carrying anything. Aman Kumar is a resident of neighbour village of the petitioner and on account of some village politics he implicated the petitioner in the present case. The petitioner has got no criminal antecedent. Even a four-wheeler does not belong to the petitioner.

Having considered the facts aforesaid and the fact that nothing has been recovered from possession of the petitioner and the name of petitioner was disclosed by the driver of the vehicle from whose possession more than 305 litres of liquor was recovered, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 learned Additional Sessions Judge II-cum-Special Judge (Excise), Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.469 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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