

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28117 of 2019**

Arising Out of PS. Case No.-635 Year-2018 Thana- SIWAN CITY District- Siwan

Satyendra Pandit @ Satyendra Kumar Pandit @ Satendar Kumar Pandit, aged about 20 years (M), Son of Visheshwar Pandit, Resident of Village - Pinarthu Kala, P.S.- Daraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mrs.Dr. Indiar Kumari

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 22-07-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Siwan Town P.S. Case No. 635 of 2018 registered for the offences punishable under Sections 399/402 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the F.I.R. is to the effect that on 09.10.2018 at 3.50 P.M., while the informant, being the A.S.I., Siwan Town Police Station, was on patrolling duty, he received a secret information that under the over bridge near Railway line, certain accused persons have assembled and are preparing to commit dacoity, whereupon raid was laid, when five persons were found talking to each other, but on seeing the police personnel, out of five persons, four persons escaped from



the scene, but one person was apprehended, who disclosed his name as Bikku Singh. The apprehended co-accused, Bikku Singh disclosed the name of three other persons who escaped from the scene, as Satendra Pandit, Anshu Singh and Ritik Singh. From the apprehended co-accused, 360 ML of illicit foreign liquor were recovered.

The other co-accused has been granted bail by a Co-ordinate Bench of this Court. There is no specific allegation against the petitioner. There is no recovery from the conscious possession of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-Cum-Special Judge, Excise, Siwan in connection with Siwan Town P.S. Case No. 635 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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