

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54974 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- SIKARHATTA District- Bhojpur

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Nepali Pandit, Son of Pukar Pandit Resident of Village-Ram Nagar, P.S-
Tarari, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mrs. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 27-11-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 30.06.2019
in a case registered for the offences punishable under Section
414 of the IPC and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case is that from a Pickup van and a
Bolero vehicle parked in front of the door of co-accused Bhulan
Singh, total 482 litres of Indian Made Foreign Liquor were
recovered when the petitioner was apprehended on the spot.

It is submitted by learned counsel for the petitioner that co-



accused Bhulan Singh, at whose door the alleged vehicle were parked, from which the recovery is alleged to have been made, has been granted bail by a Co-ordinate Bench of this Court, vide order dated 25.10.2019, passed in Cr. Misc. No. 68578 of 2019. It is further submitted that the petitioner is not having any concern with alleged vehicles, though statement to that effect has not been made in the petition. Moreover, investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was apprehended from the place of seizure and he is named in the FIR.

Considering the fact that recovery has been made from the alleged vehicles parked in front of the house of co-accused, Bhulan Singh, who has been granted bail by a Co-ordinate Bench of this Court, the period under custody and the investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ADJ-IV-cum-Special Judge,



Excise, Bhojpur at Ara in connection with Excise Case No. 1254
of 2019, arising out of Sikarhata P.S. Case No. 87 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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