

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60513 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- KALYANPUR District- East Champaran

RAJESHWAR PANDEY Son of Late Amar Pandey Resident of Village-
Mahmada, P.S.-Kotwa, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kalyanpur P.S. Case No. 80 of 2019, registered under
Sections 272 and 273/34 of the Indian Penal Code and Section
30(a) and 41(1) of the Bihar Excise Act.

The accusation is of recovery of 19 drums each
containing 200 litre spirit from the truck bearing registration no.
WB23B 0759, which was in standing condition, at village
Kaithwaliya. On seeing the police party, the persons who were
present near the truck, succeeded to flee away, while two
persons were apprehended, who disclosed their names as
Krishna Pandit and Sarjun Ram. On query, both apprehended



persons also disclosed the name of eight persons including the petitioner, who succeeded to flee away.

Learned counsel for the petitioner submits that petitioner was not apprehended at the spot nor he is the owner of aforesaid truck, from which, the seized spirit was recovered but the name of petitioner has come in the confessional statement of Krishna Pandit and Sarjun Ram. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his 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 the learned 9th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari, in connection with Kalyanpur P.S. Case No. 80 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

