

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64020 of 2019

Arising Out of PS. Case No.-225 Year-2019 Thana- HUSSAINGANJ District- Siwan

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KUNAL PANDA @ KUNAL SHARMA @ KRISHNA SHARMA Son of
Krishna Murari Panda @ Krishna Murari Sharma Resident of Village-
Aranda, P.S.- M.H. Nagar (Hussainganj), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Digvijay Pratap Singh
For the Opposite Party/s : Mr.Tapeshwar Sharma

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

ORAL ORDER

2 18-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Hussainganj (M.H. Nagar) P.S. Case No.225 of 2019
registered under Section 414 of the Indian Penal Code, 1860
besides Section 30(a) of the Bihar Prohibition and Excise Act.

The accusation is that on receiving the secret
information about loading of the illicit liquor on Scorpio vehicle
by Mahesh Sah, Pramod Sah and this petitioner, the informant
along with other police personnel reached at village-Aranda
Braham Asthan, where one Scorpio vehicle having no
registration number was found parked. On query, the villagers
refused to disclose the name of the owner of the aforesaid



vehicle. On search of the Scorpio vehicle, 52 cartoons, each containing 48 bottles, two sacks, each containing 150 bottles, and one sack, containing 100 bottles {total 2880 bottles of 180 ml. of Indian Made Foreign Liquor, in the volume of 518.400 liters} were recovered.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the name of the petitioner and two others about loading the illicit liquor by them on the Scorpio vehicle came in the knowledge of the informant secretly and when the informant along with other police personnel reached at the place of the occurrence, one Scorpio having no registration number was found parked there but no one disclosed the name of the owner of the said vehicle. In fact, the petitioner is accused in two other cases, as detailed in paragraph-3 to this application, in which he is on bail, due to that reason, the petitioner has falsely been implicated in this case.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge Excise, Siwan, in connection with Hussainganj (M.H. Nagar) P.S. Case No.225 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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