

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75522 of 2019

Arising Out of PS. Case No.-371 Year-2019 Thana- BRAHMPUR District- Buxar

RAJU PANDEY, male, aged about 22 years, Son of Mahendra Pandey,
Resident of Village - Lakshaman Dera, Chakki, Police Station - Brahmpur
(Chakki O.P.), District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parijat Saurav

For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-11-2019

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
& Excise Act, 2016.

Informant who is a police officer in his written
complaint has alleged that on 24.08.2019, he received a
confidential information that illicit liquor is being carried and
upon receiving said information, he along with other police
personnel reached the place of occurrence and saw a tempo
coming and when it was asked to stop, driver of the said temp
tried to flee away, however, he was apprehended after chase.
Two persons on tempo managed to escape. On search of tempo,
77.76 litres foreign liquor was recovered.



It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It has further been submitted on behalf of the petitioner that he was not apprehended on the spot nor any illicit liquor was recovered from his possession. Petitioner has no criminal antecedent and driver of the said tempo who was apprehended on the spot has already been granted regular bail by this Court as contained in Annexure 2.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Brahmpur (Chakki O.P.) P.S. Case No.371 of 2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.



(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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