

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2371 of 2020

Arising Out of PS. Case No.-240 Year-2019 Thana- RAJAOLI District- Nawada

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SANDEEP BHADANI @ SANDEEP KUMAR BHADANI Son of
Chintaman Ram Bhadani @ Chintaman Ram Resident of Village-Behradih,
P.S. -Jay Nagar , District - Koderma ,A/p Doctor Gali, Jhumari Tilaiya, P.S.-
Jhumari Tilaiya, District-Koderma (Jharkhand). Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Nayan

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Rajauli P.S. Case No. 240 of 2019 registered for the offence
punishable under section 414 of the Indian Penal Code and
section 30(a) and 41 of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, on information having
been received, a pickup van was searched and a total quantity of
200.625 litres of IMFL was recovered. The driver of the said
vehicle, namely, Raju Thakur was arrested.

It is submitted by learned counsel for the petitioner
that accused Raju Thakur in his confession, made before the
police, has named the petitioner as one of his accomplice. No
recovery of any liquor has taken place from possession of the
petitioner. It is submitted that petitioner was on earlier occasion
falsely implicated in three other cases under the Excise Act in



the year 2016 in similar circumstances. It is finally submitted that the petitioner is in custody since 27.11.2019 and has nothing to do with the seized liquor or with the pickup van.

The application for bail is opposed by learned APP for the State who submits that large quantity of liquor has been recovered and the petitioner has criminal antecedent of three cases also under the Excise Act.

Having heard learned counsel for the parties and taking into consideration the fact that that name of the petitioner ahs transpired in the confessional statement of co-accused before the police who has himself been enlarged on bail vide order dated 16.11.2019 passed in Cr. Misc. no. 58681 of 2019, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Rajauli P.S. Case No. 240 of 2019 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II-cum-Special Judge, Nawada.

(Partha Sarthy, J)

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