

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22851 of 2020

Arising Out of PS. Case No.-18 Year-2019 Thana- BRAHMPUR District- Buxar

Sunil Pandey, Son of Sidh Nath Pandey, Resident of Village- Mishrawalia,
P.S.- Barahampur, Distt- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 06-10-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner is accused in connection with Barahampur P.S. Case No. 18 of 2019/Ex. GR. No. 82 of 2019, registered under Section 30(a) of the Bihar Excise Amendment Act, 2018.

The accusation is that on receiving secret



information about gathering of persons indulging in illicit liquor business at Jogia More, the informant along with other police personnel reached there then saw that one Pickup van and one Mahindra car were in parking condition. On seeing the police party, they started to flee away, but on chased, three persons from Pickup van, one person near the Pickup van and one person from car were apprehended, while one person from car and three persons from Pickup van succeeded to flee away. The apprehended persons disclosed their names, Sonu Kumar, Anil Kumar Pandey, Manoj Pandey, Anjani Yadav and Allamuddin. The apprehended persons also disclosed that Sunil Pandey (petitioner), Sonu Singh and other succeeded to flee away. On search of Pickup van, 246 cartoons, each containing 48 bottles of 180 ml and on search of car, 24 cartoons, each containing 48 bottles of 180 ml Indian made foreign liquor recovered.

Learned counsel for the petitioner submits that petitioner was not apprehended at the spot but his name has surfaced in the confessional statement of co-accused, who apprehended at the spot. Further submission is that the prayer for bail of the petitioner was earlier rejected vide order dated 23.01.2020 passed in Criminal Misc. No. 1255 of 2020 taking into consideration the criminal antecedent of the petitioner, as



detailed in paragraph 3 of the bail petition but in all four cases, petitioner is on bail and in the present case, he is in custody since 08.11.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions Judge-cum-Special Judge Excise, Buxar, in connection with Barahampur P.S. Case No. 18 of 2019/Ex. GR. No. 82 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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