

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79388 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- BAGENGOLA District- Buxar

Dayashankar Pandey Son of Satya Narayan Pandey Resident of Village-
Bhada, P.S.- Bagengola, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-03-2020 The petitioner, who is in custody since 24.09.2019, seeks bail in connection with Bagengola P.S. Case No. 52 of 2019 (CIS Excise – 837/2019). (Excise GR – 734/2019) dated 17.08.2019 instituted for the offence under Section 30(a) and 41 (1) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Approximately 4600 litres of liquor is said to have been recovered from the joint house of one Umashankar Pandey and the petitioner.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case only because he happens to be the younger brother of Umashankar Pandey in whose share the family property viz. the house from where recovery has been made has fallen. The petitioner has made a



separate house in his village and is residing there.

In support of the aforesaid contention, the learned counsel for the petitioner has submitted that when raid was conducted in the house of the brother of the petitioner, viz. Umashankar Pandey, no family member was present there.

Regard being had to the aforestated facts as also that the petitioner has not been made accused in a case of similar nature in the past and his period of custody, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge - 2nd - cum - Special Judge (Excise), Buxar in connection with Bagengola P.S. Case No. 52 of 2019 (CIS Excise - 837/2019). (Excise GR - 734/2019).

(Ashutosh Kumar, J)

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