

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85362 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- BISHWAMBHARPUR District-
Gopalganj

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ROHIT PANDEY, aged about 25 years, Male, Son of Satish Pandey, Resident
of Village- Bindawalia, P.S.- Kuchaikote, District- Gopalganj
... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Prashant Kumar, Adv.
For the Opposite Party : Mr. Nand Kishore Prasad, APP

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

ORAL ORDER

3 17-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with
Vishambharpur P.S. Case No. 138 of 2019, registered under
Sections 414 of the Indian Penal Code and 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty
three motorcycles were seen coming from Uttar Pradesh. On
seeing the police party, the motorcycles riders started to flee
away turning the motorcycles, but, on chase, they were
apprehended. Two persons, who were sat on black Honda
motorcycle, bearing registration no. UP-57C-3534, disclosed
their names Sumant Gupta and Rohit Pandey (petitioner). On
search of sack, which was found on motorcycle, 163 bottles,



each containing 200 ml country made pistol, recovered.

Submission is that the petitioner is not the owner of the motorcycle rather he was taking the lift sat on the rear seat of the motorcycle from which 163 bottles, each containing 200 ml, country made liquor are said to be recovered in a sack. Petitioner has no criminal antecedent and he is in custody since 29.10.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Vishambharpur P.S. Case No. 138 of 2019 to the satisfaction of the Additional District & Sessions Judge II-cum-Special Judge, Excise, Gopalganj.

(Rajendra Kumar Mishra, J)

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