

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25021 of 2021

Arising Out of PS. Case No.-186 Year-2019 Thana- KATHAIYA District- Muzaffarpur

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Kundan Pandey@Kundan Kumar Pandey Son of Awadesh Pandey Resident
of Village - Sadhanpura, P.S.- Kathaiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 272, 273/34
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 117 liters of foreign liquor is
said to have been recovered in the bush near middle school
Sadhanpura. He submits that similarly situated co-accused has



been granted anticipatory bail by coordinate Bench of this Court in Cr. Misc. No. 22984 of 2020 on 25.09.2020. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 25,000.00 (Rupees Twenty Five Thousand) in the Patna High Court Legal Services Committee, Patna.

Considering the facts and circumstances of the case, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kathaiya P.S. Case No. 186 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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