

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35284 of 2020

Arising Out of PS. Case No.-112 Year-2020 Thana- PANCHRUKHI District- Siwan

Shashi Bhushan Pandey @ Pappu Pandey @ Pappu (Male), aged About 37 Years, Son of Kamal Kishore Pandey, Resident of Village - Panchrukhi, Tola - Mathiyan, P.S. Panchrukhi, District – Siwan.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar Singh, Advocate.
For the Opposite Party : Mr. Damodar Pd. Tiwari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-04-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 18.375 liters wine is said to have been recovered by the side of joint house of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. It is alleged that total 18.375 liters wine is recovered by the side of joint house of the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Siwan, in connection with Panchrukhi P.S. Case No. 112 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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