

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35849 of 2020

Arising Out of PS. Case No.-60 Year-2020 Thana- SABAUR District- Bhagalpur

=====

CHHOTU PANDEY SON OF LATE INDRADEO PANDEY RESIDENT OF
VILLAGE - SABOUR, P.S. SABOUR, DISTRICT BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2021 Heard the learned counsel for the petitioner
and the learned APP for the State, Sri Ashok Kumar.

The petitioner seeks regular bail in connection with Sabour P.S. Case No. 60 of 2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

The allegation is regarding recovery of about 65 liters of illicit liquor from the co-accused person, namely, Bhola Mahaldar, and he is alleged to have taken the name of the petitioner as his accomplice.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 16.06.2020. It is further submitted that the aforesaid co-accused person, namely, Bhola Mahaldar, has already been granted bail by a coordinate Bench of this Court vide order dated 29.06.2020 passed in Criminal Miscellaneous No. 21116 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is



directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge cum Special Judge (Excise Act), Bhagalpur or successor court in connection with Sabour P.S. Case No. 60 of 2020.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

