

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6195 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- BHAGWANPUR District- Vaishali

SUBODH PANDEY SON OF GAGANDEW PANDEY @ GAGANDEV
PANDEY R/O PRATAPTAND, P.S.- BHAGWANPUR, DISTRICT-
VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-06-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard Mr. Abhay Kumar learned counsel for the
petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 179 of 2021 registered for the
offences punishable under Sections 272 and 273 of the Indian
Penal Code and Section 30(a) of Bihar Prohibition and Excise
Act.

As per prosecution case, on 13.08.2021 informant got
information that the petitioner and others are involved in the
trade of illegal foreign liquor and it is further stated that they
have kept the foreign liquor concealed in the old veterinary

hospital situated in the village Prataptand east. It is further alleged that 605.88 liters Indian made foreign liquor was recovered therefrom.

Learned counsel for the petitioner submits that petitioner bears no criminal antecedent. Petitioner is in custody since 08.09.2021. From the FIR, it is alleged that recovery is made from the veterinary hospital and petitioner has no concerned with other co-accused. Petitioner was not apprehended on the spot.

The learned APP for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, 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 to the satisfaction of learned Special Judge, Excise, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 179 of 2021, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in

bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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