

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8040 of 2022**

Arising Out of PS. Case No.-258 Year-2021 Thana- BHAGWANPUR District- Vaishali

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Nagendra Pandit Son of Bindeshwar Pandit Resident of Village- Hussaina
Khurd, P.S- Goraul, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 06-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of IPC and
Section 30(a) of the Bihar Prohibition and Excise Act, 2018 in
connection with Bhagwanpur P.S. Case No. 258 of 2021.

Accused/petitioner is named in the FIR and in custody
since 07.11.2021.

As per allegation, recovery of 10 litres of country
made liquor was made from the possession of the petitioner.

Learned counsel for the petitioner submits that the
alleged recovery was not made from the conscious possession of



the petitioner and he has falsely been implicated in the present case. He further submits that the petitioner is a man of clean antecedent and charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer for bail conceded as charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Considering the facts and submissions as made above, nothing has been recovered from the conscious possession of the petitioner coupled with as charge-sheet has already been submitted in the case, let the petitioner, above named, is directed to be released on bail in connection with Bhagwanpur P.S. Case No. 258 of 2021 on furnishing bail bound of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur subject to the following condition:

(1) That the petitioner shall not be involved in the similar nature of case till conclusion of the trial and learned court below shall be at liberty to cancel the bail bond of the petitioner, if the involvement of the



petitioner shall be found in the similar nature of case.

*(2) That one of the bailors shall be the close
relative of the accused petitioner like father / mother /
daughter / son / sister / brother.*

(Chandra Shekhar Jha, J)

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