

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37178 of 2021

Arising Out of PS. Case No.-68 Year-2019 Thana- KALER District- Jehanabad

SANDEEP PANDEY @ SANDEEP KUMAR Son of Omprakash Pandey
Resident of Village - Dhaurhra, P.S.- Khandasa, Distt.- Ayodhya (Faizabad),
(U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 467, 468, 471 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that while on patrolling duty he got information that a Tata 407 vehicle loaded with liquor was coming, accordingly the police reached near village Amit Bigha where vehicle was apprehended and one person Shivakant was apprehended who disclosed that the loaded article belongs to Army Canteen but



was not able to show any documents relating to the liquor. It is next alleged that upon search 3152.52 litres of liquor was recovered from the vehicle and Shivkant Pandey disclosed about petitioner who is cousin of his village and had introduced him with one Sonu Kumar who indulges in trade of illicit liquor.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, nothing was recovered from his conscious possession, it is next submitted that his name transpired in the confessional statement of co-accused Shivakant Pandey who has only stated that the petitioner had introduced him to Sonu Kumar. It is further submitted that confessional statement as such does not have any evidentiary value in the eyes of law.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a person with clean antecedent, the petitioner above-named, in the event of his 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) each 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 Excise Case No. 1100 of 2019 arising out of Kaler P.S. Case No. 68 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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