

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65167 of 2021

Arising Out of PS. Case No.-435 Year-2021 Thana- BUXAR District- Buxar

Sanjay Pandey, Son of Late Raghunath Pandey, R/o Village - Charitrawan,
M.V. College Gate, Buxar, P.S. - Buxar Town, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 30-03-2022 The applicant is given out of turn hearing because of
his liver ailment which is not disputed by the other side.

The applicant is accused in Crime No. 435 of 2021 registered with Buxar (Town) Police Station for the offence punishable under Section 30(a) of the Bihar Excise Act as well as Sections 25(1-b)a and 26/35 of the Arms Act, by this application is seeking his release on bail during course of the trail.

Heard both sides.

The investigation of the subject crime is over.

It is case of the prosecution that from the house of the applicant, 7 bottles each containing 375 ml Royal Stag Whiskys, 13 bottles each containing 180 ml Officer Choice apart from one country made pistol with two live cartridges



came to be seized.

It is reported that the applicant is not having any criminal antecedent. The investigation of the subject crime is over. Hence I see no reason to refuse bail to the applicant. Therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 435 of 2021 registered with Buxar (Town) Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be



involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

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