

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6940 of 2023**

Arising Out of PS. Case No.-390 Year-2022 Thana- CHANDAUTI District- Gaya

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BHOLA PANDEY @ BHOLA PANDA Son of Vishnu Sharan Pandey @  
Vishnu Pandey Resident of Mohalla- B.N. Jha Road, Murarpur, P.S.- Kotwali,  
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Murli Dhar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      13-04-2023      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 u/s 188 of the IPC and 48 of Bihar  
Prohibition and Excise Amendment Act, 2022.

As per the allegation, when police verified a viral video  
it was found that the petitioner was offering *puja* by using  
liquor on behalf of the persons who had come to *Pretshila*  
*Mandir* to offer *pind* to their ancestors.

It is submitted by learned counsel for the petitioner that  
the petitioner is quite innocent and has committed no offence.  
No incriminating article has been recovered from the conscious  
physical possession of the petitioner. He has no concern either



with the seized liquor or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. Petitioner has one criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Bihar State Bar Council Welfare Fund, Patna, bearing Account No.31861041899, IFSC Code: SBIN0010340, State Bank of India, Branch: High Court Campus, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Chandauti P.S. Case No.390 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the



petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the Bihar State Bar Council Welfare Fund.

**(Anjani Kumar Sharan, J)**

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