

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9290 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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RAJ KUMAR PANDEY @ RAJ KUMAR S/O PRAFULL KUMAR
PANDEY @ PRAPHUL PANDEY R/v- Bhathandhi, P.S.- Sadar Hajipur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-04-2023 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 under Section 30 (a) of
the Bihar Prohibition and Excise Act, 2018.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner rather 162
liters of foreign liquor is said to have been recovered from a
bush situated near the transformer besides the east north corner
of middle school boundary. Petitioner has no concern either
with the seized liquor or the place of recovery or any trade of
liquor. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. The place of recovery is an open place and easily accessible to anyone. Petitioner has been falsely implicated in this case at the instance of his enemy. There is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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, bearing Account No.31861041899, IFSC : SBIN0010340, State Bank of India, High Court Campus Branch, 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 Hajipur Excise P.S. Case No. 383 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

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

(Anjani Kumar Sharan, J)

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