

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12614 of 2023

Arising Out of PS. Case No.-139 Year-2022 Thana- LAKHNAUR District- Madhubani

Sandeep Kumar Pandit Son Of Ram Narayan Pandit R/V- Painta, P.S.-
Phulparas, District- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 420, 467, 468, 471, 120(B)/34 of Indian Penal Code and Sections 30(a), 32(i)(ii), 36, 41(2) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1770.39 litres of country made liquor from different vehicles.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the



alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 14.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similalry situated several co-accused persons have been granted bail vide order dated 14.10.2022 and 17.10.2022, passed in Cr. Misc. no. 52468 of 2022 and 53198 of 2022 respectively by co-ordinate Bench of this Court.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Lakhonour P.S. Case No. 139 of 2022.

(Sunil Kumar Panwar, J)

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