

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32138 of 2023

Arising Out of PS. Case No.-431 Year-2018 Thana- BRAHMPUR District- Buxar

RABINDRA PANDEY, S/o of Ramayan Pandey, Resident of Village- Sunaki,
P.S. Sahpur, District- bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Brahampur P.S. Case No. 431 of 2018 dated 14.09.2018 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 792 litres of illicit foreign liquor was recovered from the white color Scorpio car. Two persons fled away from the said vehicle. On chase, one person was apprehended and he disclosed his name as Rakesh Singh who also disclosed the name of the petitioner. It is alleged that the petitioner



is the owner of the said vehicle.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed in this case only on the basis of disclosure made by the co-accused Rakesh Singh. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.03.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Brahampur P.S. Case No. 431 of 2018.

The application stands allowed.

(Chandra Prakash Singh, J)

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