

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8604 of 2023

Arising Out of PS. Case No.-485 Year-2022 Thana- TAJPUR District- Samastipur

Abodh Pandey @ Amod Kumar Pandey Son Of Paras Nath Pandey R/O
Village- Dharampur Bande, P.S.-PATORY, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Tajpur (Halai O.P.) P.S. Case No. 485 of 2022 registered under sections 272, 273 and 34 of the Indian Penal Code and 30(a) of the Bihar Prohibition & Excise Act.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, from where the recovery of 3257.28 liters of IMFL liquor has been made.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on



suspicion. The name of the petitioner came into light in this case on the basis of confessional statement of other co-accused person before the police. Nothing incriminating has been recovered from the conscious possession of the petitioner and also from his house. He has no concern with the vehicle in question where the recovery has been made. It is further submitted that petitioner was made accused in the present case only because he was brother of the co-accused Vicky Pandey. Similarly situated other co-accused persons have already been granted bail by this co-ordinate Bench of this Court vide order dated. 16.12.2022 in Cr. Misc. No. 68544 of 2022 and 71126 of 2022. The petitioner is languishing in judicial custody since 28.11.2022.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Tajpur (Halai O.P.) P.S. Case No. 485 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Special Judge Excise Court No.2
Samastipur.

(Sunil Kumar Panwar, J)

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