

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47833 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- Excise P.S. District- Siwan

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Vishal Pandey @ Vishal Kumar Pandey S/o Manoj Pandey R/o vill -
Harnathpur, P.S. - Raghunathpur, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Kanhaiya Kishore (App 100)

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-07-2024 Heard the parties.

2. The petitioner seeks bail in connection with
Excise Raghunathpur P.S. Case No. 43 of 2024 registered
for the offences under Section 30 (a) of the Bihar Prohibition
and Excise Act.

3. The petitioner is named in the F.I.R. and is in
custody since 14.06.2024.

4. The allegation against the petitioner is to be
engage in illegal trading/manufacturing of illicit liquor,
where, there is recovery of 810 litres of IMFL/country made
liquor.

5. Learned counsel appearing on behalf of the
petitioner submitted that the name of the petitioner



surfaced in the present case during the course of investigation out of the confessional statement made by apprehended co-accused persons namely Amit Kumar Singh and Pankaj Kumar Ram. In furtherance of which no incrimination material/ illicit liquor appears to be recovered from the possession of this petitioner. It is submitted that aforesaid apprehended co-accused namely Amit Kumar Singh has already been granted bail by this Court in Cr. Misc. No. 40938 of 2024 vide order dated 11.06.2024. While concluding the argument it is submitted that petitioner found involved in two more criminal cases of similar nature, where he is on bail.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the factual and submission as save and except suspicion arises out of confessional statement of co-accused nothing appears incriminating against this petitioner as to connect with present recovery of illicit liquor, accordingly, petitioner, above named, is directed to be released on bail in connection with Excise Raghunathpur P.S.



Case No. 43 of 2024 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned ADJ Special Excise Court
No. 2, Siwan/concerned court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C. with further
conditions:-

- (i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.
- (ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(Chandra Shekhar Jha, J)

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