

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59123 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- BARHARA District- Bhojpur

Arbind Pandey, aged about 36 years (Male), S/O Late Shivjee Pandey,
Resident of Village- Semira, P.S- Barhara, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dharendra Singh, Advocate
For the Opposite Party : Mr. Ajay Kumar No. 2, A.P.P.

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

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Barhara P.S. Case No. 168 of 2024 dated 24.04.2024 registered
for the offences punishable under Sections 30(a) and 30(d) of
the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, on 24.04.2024, on
receiving information that in the village-Semra Diyara, the
business of manufacturing and selling of illicit liquor is going
on, the informant and other police officials went to the southern
direction of 500 meter from the *Boring* of Mohan Rai in the
village-Semra Diyara and apprehended the co-accused Ram
Niwas Bind, Satyendra Rai, Lalan Bind. The apprehended co-



accused persons disclosed the name of the fleeing person from the place of occurrence as Arvind Pandey (petitioner). They also disclosed that the said *Bhatti* belongs to the petitioner and they used to work of illicit liquor with him. It is further alleged that on search, total 300 illicit liquor was recovered from the southern direction of 500 meter from the *Boring* of the co-accused Mohan Rai.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that nothing has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged recovery of illicit liquor. It is further submitted that from perusal of the F.I.R., it appears that recovery of liquor was made from the village-Semra Diyara and three persons were arrested by the police and on their disclosure the petitioner has been made accused in the present case. The other co-accused person Ram Niwas Bind has already been granted bail by a Bench of this Court vide Cr. Misc. No. 42536 of 2024 under order dated 24.06.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 02.07.2024.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, 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 Exclusive Special Excise Judge-I, Bhojpur, Ara in connection with Barhara P.S. Case No. 168 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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