

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.860 of 2024

Arising Out of PS. Case No.-164 Year-2017 Thana- SISWAN District- Siwan

Rajendra Pandey Alies Rajendra Kumar Panday Son of late Nathuni Pandey
Resident of village- Raghunathpur P.S Raghunathpur Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Anupam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Ms. Kumari Anupam, learned counsel
appearing on behalf of the petitioner and Mr. Shyam Kumar
Singh, learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Siswan P.S.Case No.164 of 2017, registered for the offences
punishable under Sections 272, 273 and 308 of the Indian Penal
Code and Section 30(A)/38(I) of Bihar Prohibition and Excise
Act, 2016.

3. As per the allegation made in the FIR, the police
stopped two motorcycles bearing Hero Passion Pro Registration
No.BR29T 1234 and Kinetic Boss Registration No.BR 29B
7594 and recovered total 34.200 ltr. liquor from the plastic bags.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner was not present at the
place of occurrence, as well as, nothing has been recovered from



the possession of the petitioner. Petitioner is also not named in the FIR.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that the State Government has totally failed in stopping the manufacturing and smuggling of the foreign liquor and the country-made liquor in the State of Bihar and at a large scale the business of manufacturing and smuggling of the liquor can not be possible without connivance of the State Officials.

7. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Siswan P.S.Case No.164 of 2017 in connection with Exclusive Special Excise Court No.II, Siwan, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in



paragraph No.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

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