

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75382 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- Fakuli District- Muzaffarpur

Jogendra Pandit @ Jogindra Pandit @ Bhutal Pandit @ Bhutel Pandit @
Butel Pandit @ Yogendra Pandit Son of Ramgulam Pandit Resident of Village
- Bhagwanpur, P.S.- Phakuli, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 5 11-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Fakuli P.S. Case no.37 of 2024 registered under Sections
30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, 203.97 liters of foreign
liquor was recovered from the house of the petitioner.
4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. No recovery
has been made from the conscious possession of the petitioner
and the recovery has been shown from his house which is a joint
family property and the petitioner has no knowledge as to whom
the concerned liquor belongs. Learned counsel for the petitioner



further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.N.S. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the fact that the alleged recovery has made from the house of the petitioner which is a joint family property and the petitioner has no criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Fakuli P.S. Case no.37 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 the learned Exclusive Special Excise Court-II, Muzaffarpur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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