

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5206 of 2017

Arising Out of PS.Case No. -267 Year- 2016 Thana -BIRPUR District- SUPAUL

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1. Pankaj Kr. Das @ Pankaj Kumar Das, Son of Parmeshwar Das, resident
of Village- Tulsipatti, Police Station- Balua Bazar, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Birpur
P.S Case No. 267 of 2016 registered for the offence punishable
under Section 414 of the Indian Penal Code and Section 30(a), 36,
38(1) of the Bihar Excise (Amendment) Act, 2016.

Allegedly, the petitioner succeeded in fleeing away
after leaving the motorcycle and from search of that motorcycle 15
bottles Nepali country made liquor each containing 300 M.L. was
recovered thereafter at the house of the petitioner raid was
conducted and from where the petitioner and two other were
arrested and in the house also one motorcycle was found wherein
21 bottles of Nepali country made liquor each containing 300
M.L. and from fuel room 75 pieces Nepali country made liquor
each containing 300 M.L. were recovered and for that no paper
was produced in connection with the two motorcycles and the
recovered liquor.



Submission is of false implication and the prosecution story appears not probable and reliable. The petitioner is suffering in custody since 26.10.2016 having no criminal antecedent and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur (Supaul), in connection with Birpur P.S. Case No. 267 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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