

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59164 of 2017

Arising Out of PS.Case No. -24 Year- 2017 Thana -ANGADH District- PURNIA

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1. Pankaj Kumar Das, S/o Dayamay Das, Resident of Village- Sonapur (Kanjia), P.S.- Angarh, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-12-2017 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Special Excise Case No. 2670 of 2017 arising out of Angarh P.S.Case No. 24 of 2017 instituted for the offence punishable under Sections 272, 273 of the Indian Penal Code and 30 (a) of the Bihar Excise Prohibition Amendment Act, 2016.

The allegation is regarding recovery of 52 liters of illicit country made wine from the possession of the petitioner from the motorcycle, which was being driven by the petitioner and other co-accused person.

Learned counsel for the petitioner submits that neither the petitioner is owner of the said motorcycle nor he was



apprehended at the spot. However, his name has transpired on the disclosure made by co-accused persons, hence he can not be connected with the alleged occurrence. It is stated that the petitioner has a clean antecedent and is languishing in custody since 01.11.2017.

Considering the nature of accusation, period of custody undergone and clean antecedent, I deem it fit and appropriate to direct the release of the petitioners. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge-cum- Special Judge (Excise), Purnea in connection with Angarh P.S.Case No. 24 of 2017.

(Mohit Kumar Shah, J)

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