

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73030 of 2018

Arising Out of PS. Case No.-404 Year-2018 Thana- SAKRA District- Muzaffarpur

Pankaj Kumar S/o Bisho Choudhary resident of Village- Beta, Shahganj,
Railway Gumti No.- 22, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 13-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Sakra P.S. Case No.404/18 registered for the offence punishable under Sections 272/273/353/307 of the Indian Penal Code, Section 27 of the Arms Act, and Sections 30(a)/38/41 of the Bihar Prohibition & Excise Act, 2016.

Informant who is the Police Officer has alleged in his self-statement that on secret information received by him that wife of Ajay Kumar Jha and his brother-in-law Avinash Kumar @ Kucha who are indulged in illicit trade of liquor had brought a big consignment of liquor in a truck near their house, the premises was raided by the informant and one truck loaded with illicit liquor and nine vehicles, upon which illicit liquor was unloaded was seized by the police, however, the main accused



fled away and four persons who were present on the spot were apprehended including the petitioner.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case only on the basis of suspicion. It has further been submitted that nothing incriminating article was recovered from the possession of the petitioner and he was also not found in drunken condition at the time of alleged occurrence.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Spl. Judge, Excise Act, Muzaffarpur in connection with Sakra P.S. Case No.404/18, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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