

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9639 of 2019

Arising Out of PS. Case No.-113 Year-2018 Thana- HATHAURI District- Samastipur

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Pankaj Kumar S/o Late Vijay Kumar Singh Resident of Village- Rahtoli, P.S.-
Hathauri, District- Samastipur. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar
Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad
Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-02-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Hathauri P. S. Case No. 113 of 2018 dated 02.11.2018 instituted for the offences under Sections 272 and 273 of the Indian Penal Code and under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

Approximately 604 liters of liquor is said to have been recovered from a vehicle, of which the petitioner is the owner.

Learned counsel for the petitioner has submitted that he has handed over this vehicle to his Driver for plying



it on the commercial basis with the specific stipulation that the vehicle shall not be used for any illegal purposes. Breaching the aforesaid stipulation, it appears that the Driver of the petitioner has played truant and has agreed to carry consignment of liquor.

Since no recovery has been made from the possession of the petitioner and the petitioner has clean antecedents, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J., IIIrd - cum - Special Judge, Excise, Samastipur in connection with Hathauri P. S. Case No. 113 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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