

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16830 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

Pankaj Kumar Rana, Son of Kailash Rana, Resident of Village- Dadpur, P.S.-
Chauparan, District- Hazaribagh (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-03-2019 Heard leaned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since 13.02.2019 in a case registered for the offences punishable under Sections 30(a) and 56(b) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the Bolero vehicle, 125.64 litres of Indian Made Foreign liquor were recovered and the petitioner was apprehended from the place of occurrence.

It is submitted by learned counsel for the petitioner that the petitioner has been has falsely been roped in the present case and the said recovery has not been made from the conscious physical possession of the petitioner. It is further submitted that a statement has been made in paragraph



no.15 of the petition that the petitioner is neither the owner nor the driver of the vehicle in question, which reads as follows:-

“15.That the petitioner has not driver and owner of alleged Bolero Car only allegation is that the petitioner is standing behind the Bolero Car.”

A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner was apprehended from the place of occurrence.

Considering the fact the statement recorded in paragraph no.15 of the petition that the petitioner is neither the driver nor the owner of the vehicle in question, coupled with statement made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **Special Judge, Excise, Gaya** in connection with **Excise P.S. Case No.50 of 2019**.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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