

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.78280 of 2018

Arising Out of PS. Case No.-289 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

Pankaj Pandey, Son of Chandrama Pandey, Resident of Village- Balhan, P.S. Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Baikunthpur P.S. Case No. 289 of 2018 registered for the offence punishable under Sections 272/273 of the I.P.C. and Section 30(a) of the Bihar Prohibition & Excise Act, Amended, 2016.

Informant has alleged in his written complaint that while he was on patrolling duty, he received secret information and as he reached the residence of Pankaj Pandey, he saw five miscreants assembled there who started fleeing on seeing the police and after chase one miscreant was arrested and disclosed his name as Pankaj Pandey and rest managed to escape and from the Palani located near the house of petitioner 80.175 litres illicit liquor was recovered.

It has been submitted on behalf of the petitioner that



nothing has been recovered from his conscious possession and the Palani from where alleged illicit liquor has been recovered does not belong to petitioner. Petitioner has no criminal antecedent and he is in custody since 16.11.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj, in connection with Baikunthpur P.S. Case No. 289 of 2018 subject to the conditions that:-

(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 represented on each and every date fixed by the court.

(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.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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