

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71763 of 2019

Arising Out of PS. Case No.-19 Year-2017 Thana- PIYAR District- Muzaffarpur

PANKAJ KUMAR Son of Vinod Rai Resident of Village- Gopalpur, P.S.-
Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand

For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 19-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Pear P.S. Case no. 19 of 2017, registered under Section 272, 273, 120-B of the Indian Penal Code and Section 30(a), 35(a), 38 and 41 of the Bihar Prohibition and Excise Act.

The accusation is that on receiving secret information about unloading the illicit liquor from a truck in village-Rampur, informant along with other Police personnel reached there, on seeing the vehicle of the Police, 8 to 10 persons started to flee away, but on chase, two persons were apprehended, who disclosed their name Rajiv Kumar and Vikash Kumar. On search, 533 liters of Indian made foreign liquor recovered kept in several bottles. At that time, two trucks



and three motorcycles were also present there. The apprehended persons also disclosed the name of six persons, including the petitioner, who succeeded to flee away.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner was not apprehended on the spot, rather, his name surfaced in the confessional statement of co-accused Rajiv Kumar and Vikash Kumar, who were apprehended near the trucks from which the bottles of illicit liquor are said to be recovered. Further submission is that petitioner is not the owner of trucks or motorcycles.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Muzaffarpur in connection with Pear P.S. Case No. 19 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

