

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6699 of 2020

Arising Out of PS. Case No.-99 Year-2019 Thana- VAISHALI District- Vaishali

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Pankaj Shukla, Male, Aged about 45 years, Son of Suresh Shukla @ Balendra Shukla, Resident of Village - Jalalpur, P.S.- Lalganj, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahesh Prasad

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 28-05-2020 Heard both sides through video conferencing.

The petitioner seeks bail in Vaishali (Badsar O.P.) P.S.

Case No.99 of 2019, registered under Sections 30(a), 32(2) and 41(1) of Bihar Prohibition and Excise Act.

The informant, a police officer, disclosed in his own statement that he got secret inputs that smugglers and illicit traders of liquor were to be assembled with the liquor near the brick kiln. On such, a raid was conducted. Many vehicles were seized and 3766.68 litres of liquor was recovered from the vehicles. Three persons, namely, Ram Uday Prakash, Md. Maqsood and Santosh Kumar Yadav were apprehended. They disclosed the name of the petitioner and others.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot. Nothing has been



recovered from possession of the petitioner. None of the vehicles seized from the place of occurrence is owned by the petitioner. Save and except the disclosure made by Ram Uday Prakash in his confession before the police, there is no material against the petitioner. The petitioner is in jail since 02.12.2019.

Taking into consideration the facts that the name of the petitioner figured in the case in the confessional statement of one of the accused apprehended on the spot and no vehicle is owned by the petitioner and the fact that similarly situated other accused persons, namely, Pintu Singh, Binod Kumar, Ram Uday Prakash, Md. Maqsood and Santosh Sah have already been enlarged on bail by different Benches of this Court, petitioner, namely, Pankaj Shukla is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Vaishali (Badsar O.P.) P.S. Case No.99 of 2019.

(Prabhat Kumar Jha, J)

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