

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16889 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- TARARI District- Bhojpur

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PANKAJ PASWAN @ PANKAJ KUMAR, S/o Brija Mohan Paswan,
Resident of Village- Mejhiaon, P.S.- Hasanbazar, Distt- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Adv.
For the Opposite Party/s : Mr.Shyam Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-10-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2016.

Informant who is a police officer has alleged that
on receipt of information that FIR named accused are coming on
a vehicle with illicit liquor, he started vehicle checking and saw
a Tempo coming from the side of Nonar bearing Registration
No. BR03P 8545 and seeing police three persons got down from
the Tempo and fled away and from the Tempo total 336.96
liters of foreign liquor was recovered and Tempo was seized.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on the basis of village rivalry and animosity. Nothing was recovered from possession of the petitioner or from his house. The said tempo does not belongs to the petitioner, as such, no offence under excise act is made out against him. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur, Arra, in connection with Tarari P.S. Case No. 07 of 2020 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:

- (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 bonds.

(S. Kumar, J)

Rajiv/veena

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