

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21232 of 2020

Arising Out of PS. Case No.-352 Year-2019 Thana- LALGANJ District- Vaishali

PANKAJ SUKLA @ PANKAJ SHUKLA Son of Suresh Shukla Resident of
Village - Jalalpur, P.S.- Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Lalganj P.S. Case No. 352 of 2019 for the offence punishable under Sections 30(a), 32(2) and 41(1) of the Bihar Prohibition and Excise Act, 2018.

The accusation is regarding recovery of 942 liters of illicit liquor from the house of co-accused person, namely, Mukesh Rai and Manoj Rai. The name of the petitioner has transpired in the confessional statement made by the co-accused



person, namely, Mukesh Rai.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 05.02.2020. It is further submitted that only on account of bad antecedent of the petitioner herein, he has been falsely implicated in the present case whereas the fact is that neither any recovery of illicit liquor has been made from the house of the petitioner nor from his conscious possession.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that neither any recovery of illicit liquor has been made from the possession of the petitioner nor from his house and he is languishing in custody since 05.02.2020, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to 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 2nd Additional Sessions Judge-cum-



Special Judge, Excise Court, Vaishali in connection with
Lalganj P.S. Case No. 352 of 2019.

(Mohit Kumar Shah, J)

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