

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24127 of 2020

Arising Out of PS. Case No.-224 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

PANKAJ KUMAR S/o Budhan Singh R/o Village- Dumariya (Lasari), P.S.-
Agiaon Garhani, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rina Sinha, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-09-2020 Heard Mrs. Rina Sinha, learned counsel for the

petitioner and Smt. Veena Kumari Jaiswal, learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with

Udwantnagar P.S. Case No. 224 of 2020 registered for the

offence punishable under Section 30(a) of the Bihar

Prohibition and Excise Act, 2018.

The allegation against the petitioner as per the

First Information Report is that the Police on the basis of

secret information intercepted one red colour pickup van

and a white colour Scorpio near Jaitpur more and recovered

608 litres of foreign liquor from pick up van and 45 litres of



foreign liquor from Scorpio vehicle. It has further been alleged that on seeing the Police party four persons tried to flee away from the vehicles in question, but on chase, they were apprehended and disclosed their names as Rahul Kumar, Pankaj Kumar (petitioner), Sanjay Kumar and Shiv Kumar Ram.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case merely on the basis of fact that he was found sitting in the pick up van. Learned counsel for the petitioner on instruction submits that the petitioner is not the owner of the pick up van from which the illicit liquor has been recovered. Learned counsel also submits that the petitioner was sitting in the pick up van as a passenger and referring to paragraph-8 of this petition she submits that the illicit liquor was being carried by the driver of the pick up van, namely, Rahul Kumar. The petitioner is in custody since 18.06.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and also the fact that the petitioner has got no criminal



antecedent and he is in custody since 18.06.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge cum Special Judge, Excise Bhojpur, Ara, in connection with Udwanthnagar P.S. Case No. 224 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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