

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28134 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- JOKIHAT District- Araria

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Pandav Kumar @ Pandav Kumar Bishwas Son of Balkeshwar Bishwas
Resident of Village - Mahalgaon, P.S.- Mahalgaon, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-02-2020

Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under section 30(A) of the Bihar Prohibition and Excise Act.

The prosecution case, in brief, is that the recovery of 5.250 litres of Royal Stage from white coloured bag hanged with the leg-guard of the motorcycle, 8.640 litres of Officer's Choice whiskey and 3.600 litres of Officer's Choice tetra whiskey from the dickey of motorcycle have been made.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case. It has been further submitted that petitioner has been named on the basis of confessional statement of co-accused persons. It has been further submitted that nothing has been recovered from the



conscious possession of the petitioner. Save and except one case, petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner 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 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Jokihat (Mahalgoan) P.S. Case No. 51 of 2019 (Special Case No. 149 of 2019), on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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