

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83561 of 2019

Arising Out of PS. Case No.-389 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

PANKAJ KUMAR SINGH Son of Parmanand Singh Resident of Village -
New Khaja Sarai, P.S.- Laheriasarai, District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with G.O. Case No. 986 of 2019 arising out of Leheriasarai P.S. Case No. 389 of 2019 registered under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the pick-up Van from which the illicit liquor has been recovered is not of the petitioner and he is not said to be the person who fled away on seeing the police party. Learned counsel submits that the name of the petitioner has been involved in this case only because of his criminal antecedent, though in most of the cases he has been acquitted and there is no case of similar nature against the petitioner. Learned counsel further submits that the petitioner belongs to another village and when police party



reached his house no illicit liquor was recovered from his house and that the petitioner is in custody since 10.11.2019.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the pick-up Van from which the illicit liquor has been recovered is not of the petitioner and he is not said to be the person who fled away on seeing the police party and further submission that the name of the petitioner has been involved in this case only because of his criminal antecedent, though in most of the cases he has been acquitted and there is no case of similar nature against the petitioner, the petitioner belongs to another village and when police party reached his house no illicit liquor was recovered from his house and that the petitioner is in custody since 10.11.2019, the statutory period of investigation has been expired, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge (Excise) Darbhanga, in connection with G.O. Case No. 986 of 2019 arising out of Leheriasarai P.S. Case No. 389 of 2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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