

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16581 of 2021

Arising Out of PS. Case No.-287 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Pankaj Raj, S/o Kishorei Sah, R/o Village- Harpur Lahori, Ward No. 12, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate
For the Opposite Party/s : Mr.Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-10-2021 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Excise
Case No.287 of 2020, P.R. No.71/2020 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

10 litres country-made liquor has allegedly been
recovered from the petitioner.

It is submitted by the counsel for the petitioner that
recovery is not in accordance with law. Petitioner has no
criminal antecedents. It is further submitted that 300 litres illicit



liquor has been recovered from the property of co-accused.
Petitioner is in custody since 17.12.2020.

Learned APP for the State has opposed the prayer
for bail.

Considering the rival submissions as also the facts
and circumstances of the case, this Court for the purposes of
grant of bail is inclined to accept the submissions advanced by
the petitioner's counsel. Prayer for bail of the petitioner is
allowed.

Let the petitioner, above named, 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
Special Judge, Excise Act, Muzaffarpur, in connection with
Excise Case No.287 of 2020, P.R. No.71/2020, subject to the
following conditions:

- (i) That one of the bailors will be a close
relative of the petitioner who will give
an affidavit giving genealogy as to how
he is related with the petitioner. The
bailor will also undertake to inform the
court if there is any change in the
address of the petitioner.
- (ii) That the petitioner will be well
represented on each date and if he fails
to do so on two consecutive dates, his



bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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