

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22052 of 2021

Arising Out of PS. Case No.-282 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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PANKAJ HALWAYI Son of Sulendra Prasad Resident of Village - Bihar
Sharif Madhuriya Mohalla, P.S.- Laheri, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in GO Case No. 282 of 2020,

registered for the offence punishable punishable under Section

30(a), 56(b) of the Bihar Prohibition and Excise Act, 2016.

811.800 litres of foreign liquor has been recovered

from Bolero pickup van and this petitioner being driver was

apprehended on the spot.

It is submitted that no recovery has been made from

conscious possession of this petitioner. Petitioner was simply



driving the vehicle on the instruction of the owner and was not aware about the nature of consignment. Petitioner has no concern with the seized liquor. Petitioner is in custody since 26.11.2020 having no criminal antecedent, as stated in para 3 of the petition.

Considering the period of custody and the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to 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 learned Additional District & Sessions Judge II-cum-Special Judge, Nawada in connection with GO Case No. 282 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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