

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32353 of 2021**

Arising Out of PS. Case No.-245 Year-2018 Thana- KUDHNI District- Muzaffarpur

PANKAJ KUMAR @ PANKAJ RAI, Son of Sri Devendra Ray, Resident of
Village - Chandrahiya @ Chandrahia, P.S.- Kudhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 26-11-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kudhani P.S. (O.P. Turki) Case No. 245 of 2018 dated
28.05.2018 registered for the offence under Sections
30(a)/38(i)/41(i) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 20.02.2021, charge-sheet has been
submitted in the case and is a person with clean antecedent.
Further from perusal of the allegation as alleged in the F.I.R. it



would manifest that the informant alleges that 576.990 litres of foreign liquor was recovered from the Bamboo orchard of Bhupnath Mahto.

Learned counsel for the petitioner submits that neither the orchard belongs to the petitioner nor he has any concern with the liquor.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 20.02.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.5,000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in connection with Kudhani P.S. (O.P. Turki) Case No. 245 of 2018 subject to the condition as laid down under section 437(3) of the Cr.P.C.

(Satyavrat Verma, J)

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