

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.868 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- SARAI District- Vaishali

Pankaj Singh S/o Ram Ishwar Singh R/o village- Langurao, P.S.- Mahua,
District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the State : Mr. Nagendra Prasad APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so.

The petitioner seeks bail in Sarai PS Case No 43 of 2020, Excise Case No. 188 of 2020, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

From the boring room of co-accused viz. Madhusudhan Singh 1238.4 litres of Indian Made Foreign liquor has allegedly been recovered. The petitioner is said to be one of the persons who has kept the liquor there for trade.

Submission is of false implication merely on extraneous consideration. The petitioner has one criminal antecedents since before and on basis of such antecedent, he has been implicated in the instant case. There is no material to connect the petitioner with the alleged recovered substance. Based on such allegation



he is in custody since 29.08.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, 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 the learned Additional District and Sessions Judge II-cum -Special Judge, Excise Act, Vaishali at Hajipur, in connection with Sarai PS Case No 43 of 2020, Excise Case No. 188 of 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.

(Madhuresh Prasad, J)

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