

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4285 of 2021**

Arising Out of PS. Case No.-498 Year-2020 Thana- SAKRA District- Muzaffarpur

PANKAJ KUMAR SON OF KAMLESH RAY Resident of Village -
Mishrauliya, P.S.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar
For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 19-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 01.10.2020 in connection with Sakra P.S. Case No. 498/2020 registered for the offences punishable under Sections 30(a)/38 of the Bihar Prohibition and Excise Act.

As per the prosecution case, 120.600 liters of foreign liquor has been recovered from the straw house of the petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of this petitioner. It is further submitted that the alleged recovery has been made from the straw house which is accessible to general public. Chargesheet has already been submitted in this case. Petitioner is in custody since 01.10.2020.



Considering the aforesaid facts and circumstances and that nothing has been recovered from the possession of the petitioner, coupled with the fact that chargesheet has already been submitted in this case, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Sakra P.S. Case No. 498/2020, subject to following conditions:-

(1) 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 on their absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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