

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3272 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- KUDHNI District- Muzaffarpur

PANKAJ KUMAR Son of Rajeshwar Rai Resident of Village Vajitpur, P.S. -
Kudhni, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Kudhani (Turki O.P.) PS Case No. 203 / 2021 instituted for the offence under Section 30 (a) of the Bihar Prohibition and Excise Act 2016.

98.685 liters of illicit foreign liquor has been recovered from a bush situated on the Northern side of the house of one Navneet Kumar.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police with oblique motive. Learned counsel further submits that illicit



foreign liquor has been recovered from a bush situated on the Northern side of the house of the co-accused / Navneet Kumar, which is an open space accessible to all and sundry. Learned counsel next submits that petitioner was not arrested on the spot rather he was identified while fleeing away. Learned counsel next submits that there is no recovery of illicit liquor from the conscious possession and / or premises belonging to the petitioner. Learned counsel also submits that during search and seizure procedures prescribed under Section 100 of the Cr.P.C. and the Excise Act have not been followed. Learned counsel next submits that petitioner is in custody since 14-11-2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being to the submissions made by the parties, taking into consideration the fact that petitioner is in custody since 14/11/2021 , charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence, as such, I am inclined to grant regular bail to the petitioner .

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty



thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Kudhani (Turki O.P.) PS Case No. 203 / 2021.

(Anil Kumar Sinha, J)

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