

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8356 of 2022**

Arising Out of PS. Case No.-270 Year-2021 Thana- DUMRAO District- Buxar

PANKAJ YADAV @ PANKAJ KUMAR SON OF ANIL YADAV R/O VIL-
LAGE- NAWADERA, P.S.- DUMRAON (O.P. BHOJPUR), DISTRICT-
BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava

For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-06-2022 Learned counsel for the petitioner is permitted to re-
move defect (s), as pointed out by the office, if any, within a pe-
riod of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 30 (a) of the
Bihar Prohibition and Excise (Amendemnt) Act, 2018.

Allegation against the petitioner is that on information
the informant along with other police personnel reached there
and on seeing the police party, 5 persons including this peti-
tioner started to fleeing away but on chase co-accused Nitish
was apprehended having plastic bag and others managed to flee



away. On search being made of the said bag, a total quantity of 2.880 litres of illicit liquor was recovered.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has come on the confessional statement of co-accused. The petitioner is in custody since 05.01.2022. The other accused person has already been granted bail by the Coordinate Bench of this Court vide Order dated 31.05.2022 passed in Cr. Misc. No. 64846 of 2021. Learned counsel for the petitioner further submits that the petitioner carries three criminal offences out of which two cases are related to Excise Act.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Excise Special Judge 1st Buxar, in connection with Dumraon P.S. Case No. 270 of 2021, with following conditions:-



(1) One of the bailors must be close relative of the petitioner.

(2) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner will liable to be cancelled.

(3) If the petitioner is found involved in similar nature of offence in future, his bail bond is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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