

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12747 of 2022

Arising Out of PS. Case No.-128 Year-2020 Thana- PANAPUR District- Saran

PINTU NUT S/o Dindayal Nut R/o Village- Sisai, P.S.- Mashrakh, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2022 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with Panapur P.S. Case No. 128 of 2020, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation made in the F.I.R. altogether 2200 liters of spirit was recovered from the house of one co-accused Dindayal Nat.

Learned counsel appearing on behalf of the petitioner submits that there is specific allegation of recovery of alleged spirit from the house of co-accused Dindayal Nat and the petitioner is the son of said Dindayal Nat. It is specific



submission of the petitioner that for the offence, which has been committed by his father without any basis he is not liable to be prosecuted in the present case. The petitioner was not apprehended on the spot. The name of the petitioner has been disclosed by the local Chowkidar due to enmity. He further submits that other co-accused Pawan Nat has already been enlarged on bail by a coordinate Bench of this Court vide order dated 11.02.2022 passed in Criminal Miscellaneous No. 66572 of 2021. The petitioner has remained in custody since 20.12.2021 without any fault.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Panapur P.S. Case No. 128 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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