

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19496 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Pankaj Kumar S/O Late Ram Janam Bhagat R/O Damariyahi Ghat, P.S.-
Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd. Singh, Advocate
For the Opposite Party/s : Ms.Anita Kumari,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in the virtual Court proceeding.

The petitioner seeks bail in a case registered for the offence under Sections 30(a), 32(1)(3), 41, 41(1) of the Bihar Prohibition and Excise Act.

Recovery is of 950 liters of country made liquor.

Learned counsel appearing for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case on the basis of suspicion. He further submits that it appears from the FIR that the alleged



recovery has been made from the Piaggio Tempo in question and nothing has been recovered from conscious possession of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 25.01.2022.

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

Considering the facts and circumstances of the case, 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 court below where the case is pending in connection with Spl. Case No.524 of 2022 arising out of P.R. Bypass P.S.Case No. I-57/2022 with the 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 and on their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

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



And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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