

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49883 of 2021

Arising Out of PS. Case No.-125 Year-2021 Thana- KARJA District- Muzaffarpur

1. PANKAJ KUMAR S/o- GAJJU SAH Resident of Village- Jiyan, Police Station- Karja, District- Muzaffarpur
2. Santosh Kumar Son of Sona Lall Ray Resident of Village- Kandh, P.S.- Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 18-05-2022 Heard learned counsel appearing on behalf of the petitioners 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 petitioners seek regular bail in connection with Karja P.S. Case No. 125 of 2021, for the offence punishable under Sections 272, 273 and 414/34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is recovery of 198.72 litres of foreign liquor of different brands from the scorio bearing registration No. JH-22C-3382.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the petitioner is labourer and he was found coming from the place of occurrence on suspicion, he was apprehended by the Police. The petitioner has clean antecedent and he is in custody since 29.06.2021.

Smt. Asha Devi, learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that it would not be in the interest of the society to release the petitioner on bail as after consuming country made liquor hooch tragedy is rampant in the State of Bihar.

Considering the aforementioned facts and circumstances of the case and period of custody undergone by the petitioner, the petitioners, above named, are 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 Special Judge, Excise Act, Muzaffarpur in connection with Karja P.S. Case No. 125 of 2021, subject to the following conditions:-

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

(2) Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(3) If the petitioners tamper 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 petitioners are found involved in similar nature of offence, after their release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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