

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56849 of 2021

Arising Out of PS. Case No.-240 Year-2021 Thana- RAJAON District- Banka

SAKET KUMAR Son of Late Pramod Panjiyara Resident of - Bhitiya, P.S.
Phullidumar, District - Banka (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prachi Pallavi, Advocate

For the Opposite Party/s : Mr.Indu Kumari Srivastava, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-02-2022 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 Rajoun P.S. Case No. 240 of 2021, for the offence punishable under Section 30(a) and 32 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether 53.8 litres of illicit Indian Made Foreign Liquor was recovered from Scorpio vehicle registration No. JH-21H-7237. The petitioner along with one co-accused Sumit Kumar Singh were found sitting in the said vehicle.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is simply passenger boarded on the said vehicle bearing registration No. JH-21H-7237 in which



other passengers were also sitting. It is specific case of the petitioner that the alleged illicit liquor, which has been recovered does not belong to him, rather, the same was carried by the other passengers in a clandestine manner. She further submits that petitioner is innocent and he is in custody since 03.07.2021 and for similar allegation another co. She further submits that other co-accused Manu Kumar and Niranjana Kumar Yadav have already been enlarged on bail vide order dated 13.01.2022 passed in Criminal Miscellaneous No. 48161 of 2021.

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. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II, Banka in connection with Rajoun P.S. Case No. 240 of 2021, 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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