

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46511 of 2022

Arising Out of PS. Case No.-55 Year-2020 Thana- PATEPUR District- Vaishali

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Pankaj Singh @ Baba, Son Of Shatrughan Singh, R/O Village- Chamtha
Sanjhapur, P.S.- Bachhwara and the District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Shankar Prasad Yadav, Advocate

For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Patepur P.S. Case No. 55 of 2020 registered for
the alleged offences under Section 30(a) of the Bihar Prohibition
and Excise Act.

Allegedly, 132.12 litres of India made foreign liquor
was recovered from two cars. The petitioner is the owner of one
of the seized cars.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The petitioner has not been arrested from the spot and



nothing incriminating has been recovered from his conscious possession. The name of the petitioner transpired in this case as he is the owner of the seized Alto car which he had lent to one of his co-accused neighbours Anuj Kumar. The charge sheet has been submitted in this case. The petitioner is in custody since 18.04.2022.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner submitting that the petitioner is a habitual offender.

Having regard to the submissions made on behalf of the petitioner and considering the fact that the petitioner has not been arrested from the spot and no recovery has been shown from his possession and further considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Hajipur, Vaishali in connection with Patepur P.S. Case No. 55 of 2020, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be



accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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