

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(BEFORE RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.56878 of 2021**

Arising Out of PS. Case No.-377 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Pankaj Kumar Singh, S/O Brajesh Kumar Singh, R/O Village-Jalan Nagar,
P.S-Bhuli, District-Dhanbad (Jharkhand) At Present Village-Chotta Kharik-
abad, Jalan Nagar Factory, P.S-Kuslenda, District-Dhanbad (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-04-2022 Learned counsel for the petitioner undertakes to

remove the defects as pointed out by the Stamp Reporter within

two weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Dilip

Kumar No. 1, learned APP for the State.

The petitioner in the present is seeking regular bail in

connection with Siwan Government Official Complaint C-III

No. 377 of 2020 registered for the offences punishable under

Section 30(a) of the Bihar Prohibition and Excise (Amendment)

Act, 2018. The petitioner is in custody since 13.12.2020. He

has no criminal antecedent.

Learned counsel for the petitioner submits that as per



the prosecution story, 198.72 litres of foreign liquor has been recovered from a car of which the petitioner is a driver.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner is a driver of the car from which the alleged recovery of illicit liquor has been made. It is submitted that the petitioner is in custody 13.12.2020 having no criminal antecedent.

Mr. Dilip Kumar No. 1, learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the submission that the petitioner happened to be the driver of the vehicle and having no criminal antecedent, he has remained in custody since 13.12.2020, still the trial has not been concluded against him and that his presence may also be secured in course of trial as the petitioner is willing to provide one local bailor who is a resident of the State of Bihar having sufficient means, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum- Special Judge, Excise, Siwan in connection with Siwan Government Official Complaint C-III



No. 377 of 2020, subject to the conditions as laid down under
Section 437(3) of the Cr.P.C.

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
antecedent, 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court web-site under the heading 'Judicial Orders Passed During The Pandemic Period'.

