

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47769 of 2022

Arising Out of PS. Case No.-260 Year-2021 Thana- JAGDISHPUR District- Bhojpur

Pankaj Mishra Son of Prahalad Mishra, Resident of Village- Karnamepur,
P.S.- Shahpur (Karnamepur O.P.), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Jagdishpur P.S. Case No. 260 of 2021, lodged under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the total recovery of 550
liters of country made is the subject matter relating to the
present case.

Learned counsel for the petitioner submits that the
said recovery has been made from a Bolero vehicle and
petitioner is alleged to be the owner of vehicle. He further
submits that in this regard, he has annexed Annexure-2, by

which it shall be clear that the said vehicle has already been sold to one Mukesh Kumar in Rs.2,35,000/-, in which it has also been written that, if any crime has been committed from the said vehicle then Mukesh Kumar shall be responsible for that. He further submits that petitioner is in custody since 19.07.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IXth-cum-Special Judge (Excise), Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 260 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall

file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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