

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59741 of 2021

Arising Out of PS. Case No.-202 Year-2021 Thana- TEGHRHA District- Begusarai

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Pankaj Singh @ Pankaj Kumar @ Pankaj Kumar Singh Son of Nago Singh
Resident of Village- Dularpur (Pethiya Gachhi), P.S.- Teghra, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate.

For the Opposite Party/s : Mr. Asha Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-04-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The application has been filed for grant of regular bail
to the petitioner, above named, who has been made accused and
put behind the bar in connection with Teghra P. S. Case No. 202
of 2021 registered for the offences punishable under Section 120
(B) of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise Act, 2018.

As per the prosecution case, it is alleged that on
22.06.2021 on a secret information, the Police party intercepted
a tractor. On seeing the Police party, four persons who were
seated on the tractor, started fleeing away. However, this
petitioner was apprehended at the place of occurrence. It is



further alleged that on search of the aforesaid vehicle 612 litres foreign liquor was recovered.

It has been submitted by the learned counsel for the petitioner that the tractor does not belong to the petitioner and neither the tractor nor the alleged recovered foreign liquor belong to the petitioner and he was only a passer by but due to the ulterior reason he was arrested by the Police. It is further submitted that this petitioner is in judicial custody since 24.06.2021, having no criminal antecedent. It is next submitted that during the course of investigation, no material has come which suggest any connection of this petitioner with the alleged recovery.

On the other hand, learned APP for the State opposes the bail application of this petitioner and submits that the recovery has been made from the tractor on which this petitioner was one of the occupants.

Having heard the submissions made on behalf of the parties and taking into consideration this fact that the recovery has been made from the tractor and this petitioner is no way concern with the same and further during the course of investigation, no cogent material has come suggesting the complicity and this petitioner is in judicial custody since



24.06.2021, having no criminal antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Teghra P. S. Case No. 202 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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