

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53773 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- SIMRI District- Buxar

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Pankaj Singh @PANKAJ Kumar Singh Son of Late Rajindra Singh Resident
of Village - Balihar, P.s.- Simari, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-10-2022 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
Simari P.S. Case No. 455 of 2021 lodged under Section 30(a) of
the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per the prosecution case, the total recovery of
103.68 litres of foreign liquor has been made near the bank of
Ganga which is a public place.

Learned counsel for the petitioner submits that his
name has figured in this case by virtue of the information
provided by the local *chaukidar*. Counsel further submits that
petitioner is in custody since 24.08.2022, charge sheet has not

been filed in this case. Petitioner has one excise matter pending against him.

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 Exclusive Special Judge, Excise Court No. 02, Buxar in connection with Simari P.S. Case No. 455 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 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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