

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54451 of 2022

Arising Out of PS. Case No.-256 Year-2022 Thana- ITARHI District- Buxar

Pankaj Singh S/O Sri Ayodhya Singh, Resident Of Village- Itarhi, Police Station- Itarhi In The District Of Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-11-2022 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 Itarhi P.S. Case No. 256 of 2022, lodged under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, total recovery of 77.76 liter wine has been made, which is subject matter of the present case.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He also submits that the said motorcycle on which the wine was recovered does not belong to the petitioner and under a deep rooted conspiracy, the name of the petitioner has been attached

with this motorcycle by which police has arrested him. Learned counsel further submits that there is violation of Section 100 of the Cr.P.C. He also submits that the antecedent of the petitioner is clean and he is in custody since 23.08.2022.

Learned A.P.P. 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 Special Excise Court No.1, Buxar in connection with Itarhi P.S. Case No. 256 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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