

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68114 of 2021

Arising Out of PS. Case No.-580 Year-2021 Thana- MANER District- Patna

=====

PANKAJ AGARWAL Son of Om Prakash Agarwal Resident of Lokahi Bazar,
P.S. Lokahi, District - Madhubani presently residing at Flat No. 305,
Ramayan Apartment, Exhibition Road, Behind L.I.C. Building, P.S. Gandhi
Maidan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. S.D.Sanjay, Sr. Adv. Mr. Mohit Agarwal, Adv.
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a), 36 and 41(I)(II) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, about 2100 litres of liquor was recovered from the two vehicles in question and six named accused persons were taken into custody. It is further stated that on intense questioning, one of the accused Rajeev Ranjan disclosed the name of the other fourteen accused persons who were involved in the business of liquor and which included the petitioner herein.

It is submitted by learned Senior counsel for the



petitioner that from perusal of the FIR itself it would transpire that the petitioner was neither caught at the place of occurrence nor any incriminating article has been recovered from his possession. He has no concern with the seized liquor, the vehicles in question nor with any of the accused persons mentioned in the FIR. There is no material against him except for the statement of the coaccused made before the police. The petitioner is in custody since 7.8.2021 and has no criminal antecedent under the Bihar Prohibition and Excise Act, 2016.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the contents of the FIR together with the petitioner not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, the Court directs the petitioner to be enlarged on bail in connection with Maner P.S. Case no. 580 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Court (Excise), Patna.

(Partha Sarthy, J)

Bibhash/-

U			
---	--	--	--

