

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61440 of 2022

Arising Out of PS. Case No.-105 Year-2021 Thana- BANGARA District- Samastipur

=====

Pankaj Kumar @ Pankaj Kumar Singh Son of Shiv Ji Singh, Resident of
Village- Udaypur-Gauspur, P.S.- NH Bangra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. A.G.

=====

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
NH Bangra P.S. Case No. 105 of 2021, lodged under Sections
272 and 273 of the Indian Penal Code and Section 30(a) and
41(1) of Bihar Excise and Prohibition Act, 2016.

As per prosecution case, total recovery of 1178.280
liter wine is subject-matter of the present case.

Learned counsel for the petitioner submits that the
antecedent of the petitioner is clean, he has committed no
offence and his name was also not figured in the F.I.R. He
further submits that petitioner is in custody since 08.09.2022

and charge-sheet has already been filed in the present case. Learned counsel further submits that the other co-accused of the present case has already been granted bail by the Co-ordinate Bench of this Court vide order dated 22.06.2022 passed in Cr. Misc. No. 2160 of 2022. Learned counsel also submits that there is a gross violation of Section 100 of the Cr.P.C. in preparation of seizure list.

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- I, Samastipur in connection with NH Bangra P.S. Case No. 105 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 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.)

ravishankar/-

U		T	
---	--	---	--