

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65836 of 2022

Arising Out of PS. Case No.-161 Year-2022 Thana- BIKRAM District- Patna

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Pankaj Kumar Son of Ram Karan Sahni Resident of Village- Sikanderpur,
(Kundal), P.S.- Muzaffarpur(Nagar), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bikram
P.S. Case No. 161 of 2022 registered for the offence under
Sections 30(a), 32(ii)(iii), 36 and 41(i)(ii) of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 03.06.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 1782 litres of IMFL/country made liquor from the



alleged vehicle.

Learned counsel appearing on behalf of the petitioner submitted that admittedly, recovery of alleged illicit liquor was not made from this petitioner, where his name surfaced on the basis of disclosure made by the driver of the alleged vehicle, who discloses name of this petitioner as recipient of the consignment. It is also pointed out that petitioner involved in one more criminal case related to Arms Act, where he is on bail. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from the conscious physical possession of this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bikram P.S. Case No. 161 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur/concerned



court, subject to the following condition:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.”

(Chandra Shekhar Jha, J)

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