

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4329 of 2023

Arising Out of PS. Case No.-623 Year-2022 Thana- DARIYAPUR District- Saran

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PANKAJ KUMAR Son of Late Baidyanath Singh @ Vaidyanath Singh
Resident of Village - Sahpur Kundi, P.S.- Patori, District - Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Dariyapur P.S. Case No. 623 of 2022, registered for the offences punishable under Sections 30(a), 41(i)(ii) of the Bihar Prohibition and Excise Amendment Act 2016.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 19.11.2022 for the allegation that one bottle of wine was recovered from his Nexa vehicle, from which three persons, including the petitioner were travelling. She has submitted further that co-accused Rishu Kumar @ Shivu has been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 1413 of 2023.

On the other hand, the learned APP for the State has



opposed the prayer for bail and submitted that the petitioner is involved in similar nature of cases, to which the learned counsel for the petitioner has replied that, in all these cases mentioned in paragraph no. 3 of the bail petition, the petitioner is on bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Ist Saran at Chapra in connection with Dariyapur P.S. Case No. 623 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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