

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20987 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- AMBA District- Aurangabad

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Pankaj Kumar, S/O Late Vindeshwar Prasad Singh Resident Of West Gandhi
Maidan, Jehanabad, Ward No.- 30, P.S.- Town Jehanabad, District- Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanchay Srivastava- Advocate
For the State : Mr. Chandra Bhushan Prasad- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(a) and 37 of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 750 ml of liquor from a Bolero car of the
petitioner.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that petitioner is not named in the F.I.R. and he came to be
implicated based on disclosure made by the apprehended



accused in police custody which does not have any evidentiary value. The learned counsel clarifies that though petitioner is not named in the F.I.R. by name, but has been implicated by recording owner of the vehicle in the accused column. It is next submitted that petitioner had given his car to the apprehended accused and as such, was not aware that the same would be misused for such illegal purpose.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge-1st, Excise, Aurangabad in connection with Amba P. S. Case No.46 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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