

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29088 of 2023

Arising Out of PS. Case No.-6 Year-2023 Thana- MEHANDIA District- Jehanabad

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PANKAJ KUMAR Son of Brijeshwar Kumar Durg @ Brajeshwar Kumar
Resident of Village - Bela, Krishnagarh, P.S.- Mufashil, Arra, District -
Bhojpur (Arra).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

The petitioner seeks bail in connection with Mehandia
P.S. Case No. 06 of 2023 registered for the offences punishable
under Sections 279, 332, 334, 337, 338, 307, 353, 427, 34 of the
Indian Penal Code 30(a) of the Bihar Prohibition and Excise
(Amendment) Act.

As per prosecution case, there is alleged recovery of
246.96 liters foreign liquor from Xylo car in question and
petitioner is apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 10.01.2023. Petitioner bears no
criminal antecedent. Learned counsel further submits that



nothing has been recovered from the conscious possession of the petitioner. Petitioner is innocent and has falsely been implicated in the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail 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 Judge-II, Excise, Jehanabad in connection with Mehendiya P.S. Case No. 06 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or



the witnesses, in that case, the prosecution will be at liberty to
move for cancellation of bail.

(Alok Kumar Pandey, J)

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