

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46857 of 2023

Arising Out of PS. Case No.-351 Year-2019 Thana- RIVILGANJ District- Saran

PANKAJ SINGH, aged about 32 years (Male) S/O NARESH SINGH R/O
Village- Darihara, P.S- Dariyapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Advocate

For the Opposite Party/s : Mr.Bharat Lal, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 31-07-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Rivilganj P.S. Case No. 351 of 2019 dated 13.11.2019 registered
for the offence(s) punishable under Section(s) 188, 272/34 of
the Indian Penal Code and Sections 30, 38 and 41 of the Bihar
Prohibition and Excise Act.
3. The main submissions advanced by the learned
counsel for the petitioner are that though the petitioner is
named in the FIR but he was not apprehended at the spot, as per
allegation the alleged seized foreign liquor which is stated to be
4337 litres was to be delivered to this petitioner and three co-
accused persons, out of whom co-accused Bhim Singh @
Rakesh Singh, who was carrying criminal antecedents of nine



cases, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.23559 of 2021 and petitioner's case is completely identical to him and moreover other co-accused persons, namely, Bajrangi Singh and Himanshu have been granted anticipatory bail by different co-ordinate Benches of this Court vide orders passed in Cr. Misc. Nos.7684 of 2020 and 7445 of 2021 respectively and one other co-accused Naresh Kumar has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.2423 of 2020. Further submissions are that against the petitioner there are criminal antecedents of three cases, out of them he has got bail in two cases and in the present matter, against him, the investigation has been completed and petitioner's role in smuggling of the alleged liquor came into light in the statement made by the apprehended co-accused and except this, there is no any other material to connect the petitioner with the alleged seized liquor.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the privilege of bail having been granted to several co-accused persons, as mentioned-above and also the facts that the



petitioner was not apprehended at the spot and his name was disclosed by the apprehended co-accused and against him, the investigation has been completed, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Rivilganj P.S. Case No. 351 of 2019 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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