

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50456 of 2023

Arising Out of PS. Case No.-18 Year-2022 Thana- BANGARA District- Samastipur

PANKAJ KUMAR @ PANKAJ SAH S/O Rajeshwar Shah @ Rameshwar
Sah R/o Village- Jirwara, P.S- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 272 and 273 of the
IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 3546 litres of
IMFL from a truck and driver Bharat Bhashkar Lokhre was
arrested on spot who disclosed the name of the petitioner as one
of his associates.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
vehicle in question. The name of the petitioner has been
disclosed in this case by the apprehended co-accused before the



police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 5.8.2022 passed in Cr. Misc. No. 27246 of 2022. He is languishing in judicial custody since 1.6.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-I, Samastipur in connection with Bangara P.S. Case No. 18 of 2022.

(Sunil Kumar Panwar, J)

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