

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66773 of 2023

Arising Out of PS. Case No.-253 Year-2021 Thana- BIDUPUR District- Vaishali

=====

PANKAJ RAY @ PANKAJ YADAV @ PANKAJ KUMAR SON OF
KAILASH RAI RESIDENT OF VILLAGE - LITIYAH, POLICE STATION
- RAGHOPUR (RUSTUMPUR O.P.), DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra
For the Opposite Party/s : Mr.Uday Chand Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a) and 41(1) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
6552 liters of illegal foreign liquor from a *Truck*.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not been apprehended on
spot. The name of the petitioner has come into light, on the basis
of confessional statement of co-accused Anish Kumar @
Akshay, which has got no evidentiary value in the eyes of law.



He submitted that the petitioner has no concern either with the seized vehicle or with the wine in question. He further submitted that the other co-accused, who arrested on spot has already been granted bail by a Co-ordinate Bench vide order dated 08.07.2022 passed in Cr. Misc. No. 6415 of 2022. He is languishing in judicial custody since 11.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Exclusive Special Excise Court No. 1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 253 of 2021.

(Sunil Kumar Panwar, J)

Arish/-

U		T	
---	--	---	--

