

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11498 of 2024**

Arising Out of PS. Case No.-444 Year-2023 Thana- CHAKIA District- East Champaran

Pankaj Kumar Son of Late Chandrika Prasad R/o Village Ghanghati, P.S.  
Chakia, District East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajnish Shandilya, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      23-02-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Chakia P.S. Case No. 444 of 2023, instituted for the offences punishable under Sections 30(a), 30(d), 34(b), 41(i) and 41(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 1500 liters spirit was recovered from one vehicle and the petitioner was arrested on spot.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is the driver and owner of the seized



vehicle. The petitioner was unaware of loaded articles/liquor. The petitioner is in custody since 18.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chakia P.S. Case No. 444 of 2023.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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