

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34617 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Pankaj Kumar Son of Surendra Ray R/O Village- Raghopur Purvi, P.S.-
Jurawanpur, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-05-2024 Heard Mr. Anuj Kumar, learned Advocate for the

petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Patori P.S. Case No. 109 of 2024, registered for the
offences punishable under Sections 272, 273 of the Indian Penal
Code and Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. The police on a secret information intercepted a
Truck bearing Registration No. CG04HB3288 and XUV vehicle
bearing Registration No. BR01PB8788. On search, total 842.25
liters Indian made foreign liquor was recovered. The local
Chaukidar disclosed the name of the petitioner and others, as the
persons who have brought the consignment.



4. Learned Advocate for the petitioner contended that save and except the disclosure made by the local Chaukidar, there is no material suggesting the complicity of the petitioner in the present crime. It is further contended that the petitioner has neither any concern with the vehicle in question nor with the illicit recovered wine. Drawing the attention of this Court to the seizure list, the learned Advocate for the petitioner further contended that even the Chaukidar who has disclosed the name of the petitioner and others, he has not been made witness to the search and seizure. It is lastly contended that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that save and except the disclosure, there is no material suggesting that the petitioner is in any way connected with the vehicle in question or with the illicit wine, coupled with the fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this



order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court of Special Judge (Excise) – 02, Samastipur in connection with Patori P.S. Case No. 109 of 2024 subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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