

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57451 of 2024**

Arising Out of PS. Case No.-18 Year-2024 Thana- SIKTI District- Araria

=====

Pankaj Kumar Sharma @ Pankaj Sharma @ Pankaj Kumar Son of Balram  
Sharma R/O Vill.- Kaliyanganj Bhojpur, P.S.- Tehaghachh, Dist.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.

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

=====

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

ORAL ORDER

2      09-08-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Sikty  
P.S. Case No. 18 of 2024 instituted for the offences under  
Section 30(a) of the Bihar Prohibition and Excise (Amendment)  
Act, 2022.

3. As per prosecution case, the police has recovered  
total 97.800 liters illicit Nepali liquor from two motorcycles.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged  
against him and has falsely been implicated in the present case.  
He further submits that nothing incriminating has been  
recovered from the conscious possession of the petitioner. The



petitioner has no concern with the seized liquor or the motorcycles. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent being Special Case No. 96 of 2018 arising out of Sikty P.S. Case No. 08 of 2018 which was disposed of by the court below after depositing fine of Rs. 2500/- by the petitioner and is languishing in judicial custody since 06.06.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Chandan Kumar Yadav and Chandan Kumar Mandal have been granted bail by this Court vide order dated 13.05.2024 passed in Cr. Misc. No. 36354 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sikty P.S. Case No.



18 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

