

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60296 of 2023

Arising Out of PS. Case No.-83 Year-2021 Thana- MAHESHKHUNT District- Khagaria

Panna Singh @ Pannalalsingh @ Bam Shankar Kumar @ Bamshankarsharma
Son Of Late Kamal Kishore Sharma Resident Of Rahimpur, Panchkhutti, P.S.
- Muffasil, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopesh Raj, Adv.

For the Opposite Party/s : Mr. Md. Iftexhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Maheshkhunt P.S. Case No. 83 of 2021, lodged on 27.05.2021
under Sections 30(a), 36, 41(i) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution case, FIR has been lodged
against seven named accused persons and a vehicle. Total
872.28 litres of illegal liquor was recovered which is the subject
matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that it is true that the said vehicle is in his name,



but he has already sold the said vehicle to other person. Counsel further submits that the apprehended accused persons have been granted bail by this Court.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is not clean and there are two criminal cases pending against him in which he is on bail and both the cases are lodged under section 379. The petitioner is in custody since 15.05.2023 in the present case. Counsel also submits that the petitioner has not been apprehended in this case, rather, he was remanded by the police.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Court Excise-2, Khagaria in connection with Maheshkhunt P.S. Case No. 83 of 2021, subject to the conditions as laid down U/s 437(3) Cr.P.C.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not



absconding in any of the cases pending against him whose details are as follows:-

(I)- Muffasil P.S. Case No. 581 of 2018.

(II)- Muffasil P.S. Case No. 271 of 2017.

(Dr. Anshuman, J.)

Divyansh/-

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