

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60125 of 2024

Arising Out of PS. Case No.-296 Year-2024 Thana- RAMPUR District- Gaya

Pankaj Kumar, Son of Vijay Prasad, Resident of Moh- Jail Road Rampur Shiv
Mandir, P.S.- Rampur, Distt.- Gaya, at present Mustafabad Ramdhani Nagar,
P.S.- Rampur, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Rampur P.S. Case No. 296 of 2024 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

3. The police on a secret information conducted raid
in the house of the petitioner and recovered 12.875 lts. of Indian
Made Foreign Liquor along with 19 cane Beer each containing
500 ml. from the basement of the house of the petitioner.

4. It is contended on behalf of the petitioner that the
alleged recovery has been made from the joint family house of
the petitioner where several persons reside and, as such, the



petitioner cannot be held responsible for the same. It is next contended that the seizure list witnesses are none else but the police personnel, which smacks *mala fide*. It is further contended that the petitioner bears fair antecedent and now he has been incarcerated since 26.06.2024.

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

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the alleged recovery has been made from the joint family house of the petitioner and moreover the investigation of the crime is complete and the charge-sheet has been submitted, coupled with the fair antecedent, let the petitioner, named above, 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 learned Exclusive Special Excise Court No.1 in connection with Rampur P.S. Case No. 296 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date



of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and, in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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