

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76272 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- Excise P.S. District- Saran

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Pankaj Kumar @ Pankaj Singh S/o Ramjot Singh R/o vill - Asoiya, P.S. -
Madhaurah, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2024 Heard Mr. Ajit Kumar Singh, learned counsel for
the petitioner and Mr. Nand Kumar, learned APP for the State.

2. The petitioner is in judicial custody in connection with Utpad Thana Sadar Excise P.S. Case No. 160 of 2024 for the offences punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act, lodged on 22.08.2024 by the informant, Baiju Kumar.

3. As per the prosecution story, the informant alleged that upon information from the office of Assistant Commissioner, Excise, vehicle checking took place in course whereof, the present vehicle was intercepted and 252 litres of country made liquor recovered from the Wagon-R. Accordingly, the arrest, the FIR.

4. Learned counsel for the petitioner submits that the



petitioner does not own the car, he is the driver, has little knowledge about the presence of the liquor, has no criminal antecedent and has remained in custody since 23.08.2024 (para-4 of the petition).

5. Learned APP opposes the prayer submitting that in the order of learned Sessions Judge, it has been found that the car is stolen one.

6. The FIR is there, the petitioner will face the music, considering the aforesaid submissions as also the period of custody and further that he has no criminal antecedent, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 3rd Exclusive Special Excise Court, Saran at Chapra, in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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