

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83195 of 2024

Arising Out of PS. Case No.-656 Year-2024 Thana- Excise P.S. District- Nawada

Pankaj Kumar S/o- Late Chando Yadav Vill- Jobkala Ps- Rajauli District-
Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.
For the Opposite Party/s : Mr. Shaheen Begum. APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Nawada Utpad P.S. Case No. 656 of 2024 for the offence punishable under sections 30(a) , and 47 of Bihar Prohibition and Excise Act lodged on 24009.2024 by the informant, Rupesh Kumar.

3. As per the prosecution story, the informant alleged that during patrolling, the motorcycle was intercepted and there is recovery of 14 liter illicit liquor from its dicky which was being driven by Niranjan Kumar. The second motorcycle was intercepted and there is recovery/seizure of 40 liter country made liquor and the petitioner was the rider of it. This led to the FIR, arrest.

4. It is the case of the petitioner that he does not own



the motorcycle, was a pillion rider, have no knowledge about the presence of liquor and further only because of criminal antecedent, he has been implicated. He is in custody since 25.09.2024.

5. Learned APP opposes the prayer for bail.

6. Taking into account the submissions as also the fact that the petitioner does not own the motorcycle, an undertaking has been given that he shall be diligently appearing in trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Court, Excise-II, Nawada in connection with Nawada Utpad P.S. Case No. 656 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 fortnight for one year 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)

Vijay Singh/-

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