

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84210 of 2024

Arising Out of PS. Case No.-63 Year-2024 Thana- EAST CHAMPARAN GRP CASE
District- East Champaran

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Pankaj Kumar Son of Upendra Rai @ Upendra Resident of Village and PS
Sursand , District Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Rail
Motihari (G.R.P.S) P.S. Case No. 63 of 2024 for the offence
punishable under section 30(a) of the Bihar Prohibition and
Excise Act lodged on 01.09.2024 by the informant, Chandra
Bhushan Singh.

3. As per the prosecution story, the informant alleged
that the Police on suspicion outside the Chakiya Railway Station
at platform no. 1, intercepted three accused persons and from
each of them, there is recovery/seizure of 15 liters foreign
liquor. This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that only
because of criminal antecedent, he has been implicated, the bag



was present at the platform but the Police assigned the same to him and if granted bail, he shall be diligently appear in trial.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Taking into account the submissions as also that he is in custody since 02.09.2024 (paragraph-4 of the petition) and has undertaken to diligently appear 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 Excise Court No. 1, Civil Court, East Champaran at Motihari, in connection with Rail Motihari (G.R.P.S) P.S. Case No. 63 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)

Adnan/-

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