

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5338 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- MIRGANJ District- Gopalganj

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Pankaj Yadav S/O Vijay Yadav @ Vijay Kumar Village- Kawalhata, Ps.
Mirganj, Dist. Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Mishra, Adv.

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mirganj P.S. Case No. 04 of 2023 lodged on 06.01.2023 lodged
under section 414 of the Indian Penal Code read with section
30(a) of the Bihar Prohibition and Excise Amendment Act,
2018.

3. As per the prosecution case, total 61.400 litres of
country made wine was recovered which is 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 from the seizure list, it transpires that recovery
of wine has not been made from conscious possession of the



petitioner. Counsel further submits that the antecedent of the petitioner is not clean and there are ten cases pending against him and in all the cases, he is on bail. Counsel submits that the petitioner is in custody since 29.05.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there are ten criminal cases pending against the petitioner and most of the cases are relating to excise matter and some are relating to Arms Act.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Mirganj P.S. Case No. 04 of 2023, pending before the learned Additional District and Sessions Judge-IV-cum-Exclusive Special Judge, Excise Court No.-II, Gopalganj is hereby rejected.

8. Liberty is hereby granted to the petitioner that he may renew his prayer for bail three months after framing of charge.

(Dr. Anshuman, J.)

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