

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16798 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- Bhopatpur District- East Champaran

Pankaj Kumar S/o Uma Shankar Sah Resident of village- Bhopatpur Kasba,
P.S.- Bhopatpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bhopatpur PS Case No. 27 of 2024 instituted for the offences
under Sections 30(a), 32 and 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 24.030
litres of foreign liquor was recovered from motorcycle and
house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that motorcycle in question do not belong to the petitioner. It is further submitted that recovery is made from behind the house of the petitioner which is an open place, and accessible to one and all. It is next submitted that local people disclosed the name of the petitioner. The petitioner is in custody since 09.12.2024 and has got two criminal antecedents. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge if not already framed* on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhopatpur PS Case No. 27 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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