

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88912 of 2024

Arising Out of PS. Case No.-306 Year-2024 Thana- Excise P.S. District- Katihar

Pankaj Kumar Swarnkar S/O Late Ratan Swarnkar Resident of village-
Durgapur, P.S.- Katihar, Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Katihar Excise P.S. Case No. 306 of 2024 dated 21.05.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 423.360 litres of illicit foreign liquor was recovered from the *pick-up van*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of the said vehicle. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.05.2024. Similarly situated co-accused has already been granted regular bail by this court vide order dated 23.07.2024 passed in Cr. Misc No. 52852 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Katihar Excise P.S. Case No. 306 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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