

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16446 of 2017**

Arising Out of PS.Case No. -43 Year- 2017 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Vikash Rai, S/o Byash Rai, R/o- Village- Tareya Sujan, P.S.- Tareya Sujan, Dist.- Kushi Nagar (U.P.).

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Sanjay Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      12-04-2017              The petitioner is in custody since 27.02.2017 in connection with Kuchaikot P.S. Case No. 43 of 2017, registered for offences punishable under Sections 272, 273, 420 of Indian Penal Code and Section 30(a), (b) &(c) of Bihar Excise Act, 2016.

Allegation is of recovery of about 13 litres of country made liquor from the possession of the petitioner.

It has been submitted on behalf of the petitioner that petitioner has nothing to do with the alleged offence and as a matter of fact during helmet checking, there was some altercation between the petitioner and the police, for which he has falsely been implicated in this case. Petitioner has clean antecedent and has been in judicial custody since 27.02.2017.

Heard learned A.P.P. also.



Having heard boths sides, considering the facts and circumstances, nature of offence, period of custody and also that the petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VII, Gopalganj, in connection with Kuchaikote P.S. Case No. 43 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.



It is also made clear that if the petitioner again found involved in any of such offence, in future, his bail bonds will be cancelled.

**(Vinod Kumar Sinha, J)**

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