

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21960 of 2017**

Arising Out of PS.Case No. -27 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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1. Vishal Kumar Son of Basant Prasad Gupta Resident of Village-  
Dharmshala Road, Sahpur, P.S. Town, District Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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

4      28-06-2017      Heard the parties.

The petitioner seeks regular bail in connection with Muffasil P.S.Case No.27 of 2017 registered for offences punishable under Sections 420, 120(B) of the Indian Penal Code and Section 30(A) of Bihar Excise Amendment Act, 2016.

Allegation as per F.I.R. is that huge quantity of liquor has been recovered and the allegation against the petitioner and other accused persons is that they have approached the police to release the vehicle as well as the seized articles.

It is submitted on behalf of the petitioner that the allegation against the petitioner is false and concocted as it is not expected that any person can approach the police for releasing the vehicle as well as seized articles. Considering this aspect of the matter that a Co-ordinate Bench of this Court has allowed bail to the other co-accused persons, who are having similar allegation, vide order



dated 22.6.2017 passed in Cr. Misc. No.22649 of 2017. The petitioner is in custody for more than three months.

Heard learned A.P.P. also.

Having heard both sides and in view of submission that the other co-accused persons having similar allegation, have already been granted bail by this Court, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Aurangabad in connection with Muffasil P.S.Case No.27 of 2017 .

With 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 co-operate 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.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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