

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6504 of 2018

Arising Out of PS.Case No. -200 Year- 2017 Thana -HATHUA District- GOPALGANJ

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Vivek Kumar Gupta @ Vivek Kumar, Son of Ramjee Prasad, Resident of
Village- Manichhapar, Police Station- Hathua, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.12.2017 in connection with Hathua P.S. Case No. 200 of 2017 for the offences alleged under Sections 30(a), 38, 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged recovery of 43 litres of foreign liquor from Ice-cream factory of co-accused Sujeet Kumar, the latter having been granted bail by another Bench of this Court in Cr. Misc. No. 6173 of 2018. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Gopalganj, in connection with Hathua P.S. Case No. 200 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of



the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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