

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13796 of 2019

Arising Out of PS. Case No.-539 Year-2018 Thana- JAYNAGAR District- Madhubani

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VISHAL KUMAR @ VIKASH KUMAR @ VIKASH PURVE, aged about
40 years, Male, S/o Pradip Kumar Purvey @ Pradeep Purve R/O- Kamal
Wari East Tola, P.S.- JAINAGAR, DIST- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha
For the Opposite Party/s : Mr. Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272, 273, 414/34 of the IPC
and Section 30(a) of the Bihar Prohibition & Excise Act,
2016.

Allegation is recovery of 910.2 litres Nepali Saufi
Wine from an orchard from where accused persons including
the petitioner were apprehended.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case. Nothing has been recovered from the conscious possession



of the petitioner. Similarly placed co-accused has already been granted bail by a co-ordinate Bench of this Court vide order dated 14.02.2019 passed in Cr. Misc. No.8710 of 2019. Petitioner has no criminal antecedent and he is in custody since 29.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jainagar P.S. Case No.539/18 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in



similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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