

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21809 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- ROSERA District- Samastipur

Vikash Kumar Son of Sajjan Kumar Lal, aged about 23 years (M), Resident of Village/Mohalla-Dagwar Toli, Ward No.13, Police Station-Rosera, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Sharma

For the Opposite Party/s : Ms.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Rosera P.S. Case No. 05 of 2019 registered for offences under sections 30(a) of the Bihar Excise Act, 2016.

As per allegation made in the First Information Report, the police, on receipt of secret information, reached the place of occurrence and recovered 32 bottles each of 375 ML (total 12 liter) illicit foreign liquor from the abandoned scooty bearing registration no. BR33U-5317 CYGNUS Alpha.

An allegation has been made that the petitioner is owner of the scooty but, learned counsel for the petitioner, by



annexing the sale letter, has shown that the petitioner has already sold the scooty to co-accused Sandip Kumar on 2.12.2018 itself. He further submits that the petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail petition.

Looking to the quantity of illicit liquor recovered, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III cum Special Judge Excise, Rosera at Samastipur in connection with Rosera P.S. Case No. 05 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioner and if it is found that the petitioner has clean antecedent, his bail bond will be accepted but, if it is



found that the petitioner is involved in any other case before
filing of the present case i.e. 5.4.2019, then he would not be
released.

(Shivaji Pandey, J)

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