

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33911 of 2019

Arising Out of PS. Case No.-327 Year-2018 Thana- SURSAND District- Sitamarhi

VISHAL KUMAR, aged about 20 yeas (Male) Son of Late Surendra Singh @
Surendra Kunwar Resident of Village - Madhuwan Bazar, P.S.- Bajpatti,
District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016

The prosecution case in brief is that on patrolling duty the police recovered 30.60 liters of Nepali Saufi wine from the motorcycle. The name of the petitioner has come on the basis of confessional statement of co-accused.

The contention of the petitioner is that nothing has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent. Save and except the



confessional statement of the co-accused there is nothing against the petitioner.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Sitamarhi/successor Court in connection with Sursand P.S. Case No. 327 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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