

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80709 of 2018

Arising Out of PS. Case No.-445 Year-2016 Thana- AGAMKUAN District- Patna

Vikash Kumar @ Vikash, Son of Sri Naresh Lal, Resident of mohalla - Daud
Bigha, P.S. - Agamkuan, Distt.- Patna ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sudish Kumar, Adv.

For the Opposite Party : Mr. Ram Priya Saran Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 01-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Agamkuan P.S. Case No. 445 of 2016 for the offence alleged
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The accusation is that on patrolling duty Ravi Kumar
and Birju Kumar were apprehended with a motorcycle and a
plastic bag was hanged on the motorcycle in which 1 liter of
country made liquor was recovered whereas Birju Kumar was
found with sealed bottle of Indian made foreign liquor. They
disclosed that they have purchased the liquor from a tempo near
the hut of Dhanki orchard where Teju and his brother, Vikash
Kumar, use to sell liquor concealing it in the tempo.

The learned counsel appearing for the petitioner



submits that the petitioner was not apprehended. Ravi Kumar and Birju Kumar, who were found in possession of liquor, disclosed that they have purchased the liquor from Teju and this petitioner. The petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Agamkuan P.S. Case No. 445 of 2016 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Special Court, Excise, Patna, subject to the conditions as laid down under Section 438(2) Criminal Procedure.

(Rajendra Kumar Mishra, J)

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