

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46813 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- THARTHARI District- Nalanda

VIKAS KUMAR, aged about 29 years, Male, Son of Vijay Singh, Resident of
Village- Nataichak, P.S.- Tharthari, District- Nalanda ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Bhola Kumar, Adv.

For the Opposite Party : Mr. Sharda Kumari, APP

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

ORAL ORDER

2 29-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Tharthari P.S. Case No. 63 of 2019 for the offences alleged
under Sections 30(a), 38 and 41B of the Bihar Prohibition and
Excise Act, 2016.

The accusation is that in course of patrolling duty two
persons were seen on motorcycle, when the signal was given to
stop the motorcycle, then, both started to flee away, but, Manish
Kumar was apprehended while other succeeded to flee away.
Manish Kumar disclosed the name of his associate as Karu
Yadav. On search of the motorcycle 125 pouches, each
containing 200 ml of country made liquor and 5 bottles, each
containing 750 ml of Indian made foreign liquor, were
recovered. Manish Kumar also disclosed that the seized liquor



was being carried from the house of the petitioner.

The submission of the learned counsel for the petitioner is that the petitioner was not apprehended on spot rather the name of the petitioner has come in the confessional statement of co-accused, Manish Kumar, who was apprehended with the seized liquor. 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 Tharthari P.S. Case No. 63 of 2019 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 Judge, Excise, Nalanda at Biharsharif, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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