

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79039 of 2018

Arising Out of PS. Case No.-310 Year-2018 Thana- GAYA MUFASIL District- Gaya

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Vicky Kumar @ Vicky Sah, son of Iswari Sah, resident of village- Nauranga,
P.S. Moffasil, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2 Adv.

For the Opposite Party/s : Mr.Sri Anish Chandra (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Mofassil P.S. Case No. 310 of 2018 registered
for the offences punishable under Sections 30 (A) of the Bihar
Prohibition and Excise Act, 2016.

Informant who is a police officer has alleged that he
received a secret information and reached said place, on
seeing police party, some persons started fleeing away but
Kiran Devi and Lalu Manjhi were arrested and on search of the
house of the Kiran Devi total 429 liters of illicit liquor and beer
were recovered.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Nothing was recovered from the
house or possession of the petitioner rather liquor was recovered



from the house of co-accused Kiran Devi. Petitioner was not apprehended at the spot. Petitioner is in custody since 17.11.2018. Similarly placed co-accused Suresh Yadav and Sanjay Yadav have been granted bail by co-ordinate bench of this court passed in Cr. Misc. No. 65493 of 2018 vide order dated 29.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special judge, Excise , Gaya, in connection with Mofassil P.S. Case No. 310 of 2018, subject to 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 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 bonds.

(S. Kumar, J)

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