

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78571 of 2018

Arising Out of PS. Case No.-149 Year-2018 Thana- PHULWARIA District- Begusarai

Viresh Kumar, son of Yugal Singh, resident of village Akashpur Ranchiyahi,
P.S. Singhoul, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Choudhary, Adv.

For the Opposite Party/s : Mr.Sri Iftekhar Mahmood (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Phulwaria P.S. Case No. 149 of 2018 (G.R. No.
11 of 2018) registered for the offences punishable under
Sections 120(B), 414/34 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act, 2016.

Informant who is police officer has alleged that he
received a secret information and reached the place of
occurrence and apprehended petitioner with three other co-
accused who were seated in two vehicles and on search from
the Scorpio recovered 48 bottles of 375 ml. of Royal Stag
foreign liquor and from dickey of the Swift Car 12 bottles of
750 ml. and 24 bottles of 375 ml. of Royal Stage foreign liquor
were rerecord.

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 due to dirty village politics. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and is in custody since 01.11.2018.

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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in connection with Fulwariya P.S. Case No. 149 of 2018 (G.R. No. 11 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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