

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.78519 of 2019

Arising Out of PS. Case No.-483 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

VISHAL KUMAR, aged about 22 years, Male, Son of Ranjan Singh,
Resident of Village- Bari Aghu, Police Station- Muffasil, District- Begusarai
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Bipin Kumar, Adv.

For the Opposite Party : Mr. Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Muffasil P.S. Case No. 483 of 2019, registered under Sections
414 and 120B of the Indian Penal Code and 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The accusation is that in course of raid 46 cartons of
liquor seized where Rohit Kumar and Jitendra Kumar were
apprehended in village Patapur. On query, they disclosed that a
container loaded with cartons will come soon from Dumari
village and the container was made available by Pappu Singh @
Sardar Singh of village Mahendrapur, both also disclosed that
Mikku Kumar, Kunal Kumar, Vishal Kumar (petitioner), Amit
Kumar, Lallan Kumar and Manish Kumar are also use to sell the
liquor. Thereafter, the informant, along with other police
personnel, reached near the house of Samir where the container
was found lying. On search of the container 40 cartons, each



containing 27 bottles of 375 ml, 75 cartons, each containing 180 ml, 24 cartons, each containing 750 ml and 299 cartons, each containing 180 ml Indian made foreign liquor recovered.

Submission is that petitioner was not apprehended on the spot rather his name was disclosed by the co-accused, Rohit Kumar and Jitendra Kumar. In fact, the petitioner is the accused in four similar nature of cases, as detailed in paragraph 3 of the petitioner, due to that reason the informant, being the police personnel, implicated the petitioner in present case showing his name in the confessional statement of co-accused. The petitioner is in custody since 08.11.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Muffasil P.S. Case No. 483 of 2019 to the satisfaction of the Additional Sessions Judge II-cum-Special Judge, Excise Act, Begusarai.

(Rajendra Kumar Mishra, J)

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