

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84893 of 2019

Arising Out of PS. Case No.-858 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Vikash Kumar @ Vikas Yadav @ Vikash Yadav, S/o Yogendra Yadav, R/o
village- Mirjatola Chhawani, Ward No. 05, P.S.- Kalibagh O.P. Bettiah
(Town), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular
bail in connection with Bettiah (Town) P.S. Case No.858 of
2018 registered for the offence punishable under Sections 30(a),
33, 35 and 38 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Learned counsel submits that the vehicle from which the
recovery of illicit liquor has been made does not belong to this
petitioner.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case



wherein it is the submission of learned counsel for the petitioner that the recovery of illicit liquor has been made from a vehicle which does not belong to him and in this regard a specific statement has been made in paragraph 6 of the application which has not been controverted by placing any cogent materials before this Court as also that the petitioner is in custody since 31.07.2019, his name has transpired in the confessional statement of the co-accused, but no illicit liquor has been recovered from his house, the investigation being complete and charge-sheet filed, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No.858 of 2018, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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