

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7061 of 2020

Arising Out of PS. Case No.-125 Year-2019 Thana- KANHAULI District- Sitamarhi

Vikash Kumar Son of Amarendra Singh Resident of Village - Mahadev, P.S.-
Sahiyara, District - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 13-05-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner is in custody since 29.11.2019 in connection with Kanhauli P.S. Case No. 125/19 registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) Bihar Prohibition and Excise Act, 2016.

Petitioner was caught by the police while he was going by car and 306 litres Nepali liquor was recovered from the aforesaid car. The informant suspected that the aforesaid vehicle was stolen vehicle as petitioner could not succeed to produce relevant documents showing the ownership of the aforesaid vehicle.

The case diary has been received and from perusal of



case diary, I find that investigation has already been completed. Moreover, in course of the investigation, police could not succeed to *prima facie* establish this fact that the vehicle in question was stolen vehicle.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on 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, Sitamarhi / concerned court in connection with Kanhauli P.S. Case No. 125/19.

However, it is made clear that if the petitioner fails to make available sureties due to lock down as well as due to prevailing situation, the concerned court shall release the petitioner provisionally on personal bond with condition that petitioner shall furnish the sureties when lock down is over.

(Hemant Kumar Srivastava, J)

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