

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8125 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- SIMRI District- Darbhanga

Vikash Kumar S/o Anil Pandey @ Anil Kumar Pandey R/o village-
Madhopatti, P.O.- Madhopatti, P.S.- Kamtaul, Modhopatti Raghauli, Keoti
Ranway, District- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Bhavendra Jha, Mrs. Anju Jha, Advocates
For the Opposite Party	:	Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Simri P.S. Case No. 122 of 2019 (G.O. No. 740 of 2019) for offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. He submits that in the instant case total 67.680 litres of foreign liquor was seized. He further submits that nothing was recovered from his conscious possession of the petitioner.

Learned counsel for the petitioner submits that recovery of liquor has been made from the possession of co-



accused Prince Kumar and the petitioner has been named in the FIR only because Prince Kumar confessed that this petitioner was involved in trade of liquor.

Considering the fact that the petitioner has no criminal antecedent and only because he is the driver of the vehicle, he has been roped in the present case, this Court is inclined to grant bail to him. Let petitioner, above-named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, 2nd-cum-Special Judge (Excise), Darbhanga in connection with Simri P.S. Case No. 122 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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