

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17961 of 2020

Arising Out of PS. Case No.-883 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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VICKY SAH @ VICKY KUMAR Son of Late Yogendra Sah Resident of
Village - Madhuban, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kulanand Jha
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-05-2020 (The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.)

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 272, 273,
399, 402 of the I.P.C. and 25(1-b)a, 26, 27, 35 of Arms Act and
30(a) of Bihar Prohibition and Excise Act, 2016-18.

Allegation is recovery of 3.75 litres of foreign liquor
and 20 litres of spirit from the petitioner and other co-accused.

It has been submitted on behalf of petitioner that he is
innocent and has been falsely implicated in this case only on the



basis of suspicion. Nothing was recovered from the conscious possession of petitioner nor he was apprehended on the spot. Similarly placed co-accused, namely, Santosh Mishra has been granted bail by a co-ordinate Bench of this Court vide order dated 31.01.2020 passed in Cr. Misc. No. 7730 of 2020. Petitioner has no criminal antecedent and he is in custody since 05.02.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount to the satisfaction of learned court below, in connection with Kanti P.S. Case No. 883 of 2019 subject to the conditions that:-

(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 bond.

(S. Kumar, J)

veena/rajiv-

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