

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20628 of 2020**

Arising Out of PS. Case No.-78 Year-2020 Thana- PATLIPUTRA District- Patna

VICKY KUMAR @ TIGER Son of Ram Babu Rai Resident of - Bharatpura,  
P.S. - Bikram, District - Patna, Presently residing at - Gosai Tola, Near Devi  
Sthan, Renter of Dwarika Prasad, P.S. - Patliputra, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Samir Kumar

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

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      19-08-2020                      Due to COVID-19 Pandemic, the matter is being  
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For  
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to  
remove the defects, as pointed out by the Office, within a period  
of four weeks from the date of lifting of the lockdown in the  
State of Bihar.

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

The petitioner is apprehending his arrest in a case  
registered under Sections 341, 353, 224 and 225 of the Indian  
Penal Code and 30(a) of the Bihar Prohibition and Excise Act,



2016.

The prosecution case, in short, is that 8.832 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the basis of secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 8.832 liters wine is recovered from the abandoned field. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory



bail on his personal bond to the satisfaction of Special Judge, Excise Act, Patna in connection with Patliputra P.S. Case No. 78/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

Pankaj/-

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