

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25954 of 2020**

Arising Out of PS. Case No.-30 Year-2019 Thana- CHENARI District- Rohtas

VISHAL KUMAR SINGH @ BIKKI SINGH S/o Bhanu Pratap Singh @
Makhu Singh Resident of Village-Pipariya, P.O.-Kilni, P.S.-Chand, District-
Kaimur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Prasad Singh, Sr. Advocate
Mr.Bhaskar Shankar, APP
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-10-2020 Learned counsel for the petitioner undertakes to remove
all the defects pointed out by the Stamp Reporter within four weeks
after start of normal functioning of the Court.

Heard learned Senior Counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail
in connection with Chenari P.S. Case No. 30 of 2019 registered for
the offences punishable under Section 30(a) of Bihar Prohibition and
Excise Act.

Learned Senior Counsel submits that the name of the
petitioner has been brought in this case on mere statement of the
apprehended accused Md. Nasir who has allegedly disclosed the
mobile no. of this petitioner. It is submitted that co-accused Md.
Nasir has disclosed that he was the owner and the driver of the Tata



Magic vehicle from which the illicit liquor was recovered. So far as this petitioner is concerned, he has no concern with the illicit liquor, he has done his Master's degree in Business Administration from Varanasi and presently engaged as manager of a rice mill and because of his punctuality towards the rules for the workers as well as the customers, some person had developed inimical terms with the petitioner and the present implication is a result thereof.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. It is submitted that the petitioner has got criminal antecedent of one case.

Mr. Krishna Prasad Singh, learned Senior Counsel has submitted that the only case in which the petitioner was made accused he has been granted regular bail by a learned Co-ordinate Bench of this Court on 12.10.2020.

Having regard to the facts and circumstances of the case wherein though the petitioner has got a criminal antecedent in which he has got bail but considering the nature of accusation against him wherein the vehicle owner-cum-driver on his arrest had disclosed only the mobile no. of this petitioner and on that basis alone the petitioner has been made accused in this case, let the petitioner above-named in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-



II-cum-Special Judge Excise, Rohtas at Sasaram in connection with
Chenari P.S. Case No. 30 of 2019, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available
for interrogation by a police officer as and when required;

(ii) a condition that the 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;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

And further condition that the court below shall verify the
criminal antecedent of the petitioner and in case at any stage it is
found that the petitioner has concealed his criminal antecedent, the
court below shall take step for cancellation of bail bond of the
petitioner.

The application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

