

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26439 of 2020

Arising Out of PS. Case No.-451 Year-2019 Thana- ATRI District- Gaya

VIKASH KUMAR @ VIKASH RAJ Son of Indradev Singh Resident of
Village- Naro Murar, P.S.- Warasaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-10-2020 Heard Mr. Kunwar Narayan Jamuar, learned counsel
for the petitioner and Mr. Manoj Kumar learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with Atri
P.S. Case No. 451 of 2019 registered for the offence punishable
under Sections 414 of the Indian Penal Code 1860 and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story as per the First Information
Report is that the Police intercepted a Motorcycle on which two
persons were riding and recovered 10 litres of *Mahua* liquor
from the same. It has further been alleged that upon demand, the
owner book of the Motorcycle was not produced by the
petitioner.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he is in custody since 20.10.2019. Learned counsel referring to paragraph 10 of this application submits that the petitioner has got no concern with the seized Motorcycle or the illicit liquor. Learned counsel further submits that similarly situated co-accused person namely, Shailesh Kumar has been granted regular bail by a co-ordinate Bench of this Court vide order dated 13.05.2020 passed in Cr. Misc. 14161 of 2020. Learned counsel also submits that petitioner has no criminal antecedent. However, after lodging of the First Information Report, the petitioner has been remanded in two other cases which the petitioner has stated in paragraph-7 of this application.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that similarly situated co-accused has been granted regular bail by a co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya, in



connection with Atri P.S. Case No. 451 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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