

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87385 of 2019

Arising Out of PS. Case No.-651 Year-2019 Thana- DIGHA District- Patna

VIKASH KUMAR, Son of Kamleshwar Rai @ Kameshwar Rai @
Kameshwar Prasad Singh, Resident of Village - Nakta Diyara, Bichla Tola,
P.S.- Digha in the Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
& Excise Act, 2016.

Allegation is recovery of 31.860 litres foreign liquor
from a tempo which was being driven by the petitioner.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case on the basis of suspicion only and the alleged recovered
liquor does not belong to petitioner. Petitioner is in custody
since 16.11.2019 and petitioner has no criminal antecedent as
far as Excise Act is concerned.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Digha P.S. Case No.651 of 2019, Spl. Case No.10159/2019 with following conditions:-

(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 properly 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)

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