

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.12963 of 2021

Arising Out of PS. Case No.-145 Year-2019 Thana- KHODAWANDPUR District- Begusarai

BIKESH KUMAR @ BIKESH KUMAR YADAV S/o Sikendar Yadav R/o
village- Tetrahi, P.S.- Khodawandpur, Ward No. 13, District- Begusarai
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 24-12-2021 Heard Mr. Sandip Kumar Gautam, learned Advocate
for the petitioner and Mr. Rajendra Prasad Nat, learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Khodawandpur P.S. Case No. 145 of 2019
dated 18.07.2019 instituted for the offences under Sections 272,
273 and 120(B) of the Indian Penal Code and 30(a) of the Bihar
Prohibition and Excise Act, 2016.

It appears from the prosecution report that from two
vehicles, approximately 1833 liters of liquor was recovered.
One Ram Babu Yadav is said to have made confession before
the police in which he has named the petitioner as one of the
persons involved in such trade and also in unloading the
aforesaid consignment of liquor

Learned counsel for the petitioner has submitted that
except for the confession of the co-accused person referred to
above, there is no other material to connect the petitioner with
the offence.



The petitioner is not the owner of the vehicles and he has no concern whatsoever with the seized vehicle.

Learned counsel for the petitioner has further submitted that some of the similarly situated accused persons have been granted anticipatory bail by this Court and by the other co-ordinate Benches. The petitioner does not have criminal antecedents.

For the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bond in the sum of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Begusarai, in connection with Khodawandpur P.S. Case No. 145 of 2019 subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Ashutosh Kumar, J)

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