

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20958 of 2021**

Arising Out of PS. Case No.-23 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Vikesh Thakur @ Bikesh Thakur Son of Arun Thakur R/o Village- Khamhar,
Ward No.-5, P.S.- Mufassil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Verma, Advocate
For the State	:	Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so.

The petitioner seeks bail in Excise Complaint Case No 23C2 of 2021, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

From behind the house of the petitioner 60.450 litres illicit liquor has allegedly been recovered.

The counsel for the petitioner submits that it is a case of false implication. The recovery, admittedly, is from behind his house, for which, criminality cannot be attached to the petitioner. Upon his remand in this case on 03.02.2021, he continues to be in custody.

The learned APP for the State has opposed the prayer for bail. It is submitted that there is one criminal antecedents of the



petitioner as per para 3 of the petition. The petitioner's counsel clarifies that after his arrest in the instant case, he has also been implicated in the other case on the same day, details of which has been mentioned in para 3 of the bail petition.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Begusarai, in connection with Excise Complaint Case No 23C2 of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled

(Madhuresh Prasad, J)

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