

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38293 of 2021

Arising Out of PS. Case No.-25 Year-2021 Thana- ARIYARI District- Sheikhpura

VIKASH KUMAR @ SOURAV KUMAR S/O AJAY PRASAD @ AJO R/o
village- Sumka, P.S.- Ariyari (Kasar O.P.), District- Sheikhpura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioner is apprehending his arrest in a case registered under Sections 420, 467, 471, 120(B)/34 of the Indian Penal Code 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that on secret informant, when the police reached the place of occurrence, accused persons were involved in illegal cyber crime and 5.4 liters wine was recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of



the petitioner has transpired on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 5.4 liters wine is recovered from the house of co-accused. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Sheikhpura in connection with Aryari (Kasar O.P.) P.S. Case No. 25/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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