

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38399 of 2021

Arising Out of PS. Case No.-64 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Vikash Kumar, aged about 25 years, Male, Son of Masudan Mahto Resident
of Village- Kandap Tola, P.S.- Gaurichak, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Adv.
For the Opposite Party/s : Mr. Matloob Rab APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2021 Heard learned counsel for petitioner and learned
counsel 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 by the office.

The petitioner seeks bail in PR Alamganj PS Case
No. 64 of 2021, giving rise to Special Case No. 1645 of 2021
instituted for the offence under Sections 30(a) and 56(b) of the
Bihar Prohibition and Excise Act, 2018.

Total 133.530 litres illicit liquor has been recovered
from the vehicle being driven by the petitioner.

Learned counsel for the petitioner submits that the



petitioner was oblivious of the fact that illicit liquor was kept in the car. He has become a victim of the circumstance and having no criminal antecedents, he is in custody since 06.03.2021. He is also not the owner of the vehicle in-question.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. 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 Special Judge, Excise Act, Patna, in connection with PR Alamganj PS Case No. 64 of 2021, giving rise to Special Case No. 1645 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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