

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37278 of 2020

Arising Out of PS. Case No.-92 Year-2020 Thana- CHAKIA District- East Champaran

VIKASH SINGH @ RUPESH SINGH S/o Bachcha Narayan Singh @
Bachcha Singh R/o Village- Dilawarpur P.S.- Kesriya, District- East
Champaran.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate.
For the State : Mr. Jitendra Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 01-07-2021 As prayed for, through Video Conferencing, let the

learned counsel for the petitioner remove the defect(s), as
pointed out by the office vide its notes dated 19.12.2020, within
four weeks of starting of the Court proceeding in physical mode
in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection
with Chakia P.S. Case No.92 of 2020 registered under Section
30(a) of the Bihar Prohibition of Excise Act, 2018.

The accusation is that in course of patrolling duty by
the informant along with other police personnel, near Narniya
Railway Gumti at N.H.28, one pickup van bearing Registration



No.BR05GB-6365, was seen standing in suspicious condition. When the informant along with other police personnel reached near the pickup van, then one person started to flee away from the pickup van. While the aforesaid person was chased but he succeeded to flee away. On search of the pickup van, 43 cartoons of 375 ml. Indian Made Foreign Liquor, in the volume of 387 liters, were recovered. The neighbours, present there, disclosed that Vikash Singh alias Rupesh Singh (petitioner) with the help of some others with the consignment of the liquor had come for distribution of the same.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the petitioner was not apprehended on the spot nor he has any connection with the seized pickup van from which the alleged recovery of liquor was made. While it is alleged in the F.I.R. that the neighbours disclosed the name of the petitioner, who succeeded to flee away from the pickup van but the name of the neighbours, who disclosed the name of the petitioner, is not detailed in the F.I.R. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be



enlarged on bail on his furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the 7th Additional Sessions Judge-
cum-Special Judge, Excise, Motihari, East Champaran, in
connection with Chakia P.S. Case No.92 of 2020, subject to the
conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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