

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6505 of 2021

Arising Out of PS. Case No.-246 Year-2020 Thana- DINARA District- Rohtas

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Vinay Kumar @ Vinay Saudhik Son of Suraj Prasad Resident of Village -
Kewai, P.S.- Dawath Distt.- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-04-2021 Heard learned counsel for the parties through virtual
mode.

The petitioner seeks bail in Dinara P.S. Case No. 246
of 2020, registered for the offence under Sections 467, 471/34
of the Indian Penal Code and Section 30(a) of Bihar Prohibition
and Excise Act.

As per the prosecution case, on a secret information, a
raid was conducted and three co-accused persons were arrested
and five vehicles were also seized and upon search of the
vehicles, total 5397.06 liters of foreign liquor has been
recovered. One of the co-accused, who was arrested on the spot,
disclosed the name of the petitioner, as one of his associates,
who is indulged in the business of illicit liquor.



It is submitted on behalf of petitioner that nothing has been recovered from the possession of the petitioner. Petitioner is neither owner nor driver of the vehicles in question. Petitioner was not arrested on the spot and has been named in this case by one of the co-accused, who was arrested on the spot. Petitioner is in custody since 28.08.2020.

Considering the fact that no incriminating article has been recovered from the possession of petitioner and name of petitioner has come only on the basis of confessional statement of one of the co-accused, who was arrested on the spot, the bail application of petitioner is allowed.

Let the above named petitioner 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 learned Addl. Sessions Judge II cum Special Judge (Excise), Rohtas at Sasaram in connection with Dinara P.S. Case No. 246 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

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