

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45737 of 2021

Arising Out of PS. Case No.-194 Year-2021 Thana- MASHRAK District- Saran

=====

BICKY KUMAR SINGH @ BICKI KUMAR SINGH @ VIKKI KUMAR
S/o Ajay Singh @ Ajay Kumar Singh R/o village- Dhama, P.S.- Ishuapur,
District- Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Kanhaiya Kishore

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 12.04.2021 seeks
regular bail in connection with Mashrakh P.S. Case No. 194 of
2021 registered for offence punishable under Section
30/30(a)/38/41 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case in brief is that during raid, Masrakh
police recovered 63.360 litres of illicit liquor near Chainpur
Railway Dhala, from the possession of two persons who were
riding on the motorcycle. With the help of police persons both



the accused persons after some chase were arrested and accordingly, the seizure list was prepared.

Learned counsel appearing on behalf of the petitioner submits that entire allegation made in the F.I.R. is false and concocted. Charge-sheet has been submitted against the petitioner and another co-accused for offence under Section 30/30(a)/38/41 on the same day the cognizance was taken. He further submits that petitioner has no criminal antecedent and being innocent he is in custody since 12.04.2021.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts and circumstances of the case as well as there is no allegation of tampering the evidence or influencing the witness, the petitioner above named is directed to be enlarged to bail upon furnishing bail bond of Rs. 1,00,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Saran at Chapra in connection with Mashraikh P.S. Case No. 194 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel their bail bond.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

