

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57688 of 2021

Arising Out of PS. Case No.-189 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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VICKY KUMAR GUPTA @ VIKKI KUMAR SON OF LATE AYODHYA PRASAD R/O VILLAGE- CHANDMARI ROAD, GALI NO.-01, CHIRAIYATAR PUL, P.S.- KANKARBAG, DISTRICT- PATNA, AT PRESENT RESIDENT OF RAJ MOHAN COLONY, HATHUA MALL, P.S.- MIRGANJ, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-06-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Excise Case No. 189 of 2021 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

As per seizure list, there is recovery of 57.300 litres of I.M.F.L. from a Tempo which is said to be driven by the present petitioner.

Learned counsel for the petitioner submits that petitioner bears no criminal history and he is in custody since



05.07.2021. He further submits that no incriminating article has been recovered from conscious possession of the petitioner.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, Gopalganj in connection with Excise Case No. 189 of 2021, subject to following conditions:-

(i) One of the surety shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(Alok Kumar Pandey, J)

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