

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63426 of 2021

Arising Out of PS. Case No.-185 Year-2021 Thana- SANDESH District- Bhojpur

Vikky Kumar, Son of Bir Bahadur Singh, Resident of Village - Bhagwatpur,
P.S.- Taraiya, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sandesh P.S. Case No.185 of 2021 registered for the offence punishable under Sections 472, 473, 471, 468, 457, 420 and 120B of the Indian Penal Code and Sections 30(a), 32(c) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

There is alleged recovery of 1760 litres illicit spirit from the truck being driven by the petitioner.

Petitioner's counsel submits that the petitioner has no criminal antecedents. He is merely the Driver of the seized mini truck and oblivious of the illicit contents being carried in the truck and has become a victim of the circumstances. He has been in custody now since 24.09.2021. It is also submitted that



the investigation is complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, period of custody and the fact that the investigation is complete, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner 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 learned 4th Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur at Ara, in connection with Sandesh P.S. Case No.185 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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