

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57545 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- DARIYAPUR District- Saran

Vikash Kumar S/o Sunil Rai, R/o village- Pahleza, Shahpur Diyarapur, Police Station- Sonpur, District- Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with Dariyapur P.S. Case No. 227 of 2022 lodged under Sections 272, 273 & 120B of I.P.C. read with Sections 30(a) & 33 of Bihar Prohibition and Excise (Amendment) Act, 2022.

As per prosecution case, the total recovery of 1790.28 liter of foreign liquor have been made from a Pickup van and one Truck, which is subject matter of the present case.

Learned counsel for the petitioners submits that petitioner is innocent and has committed no offence. He further submits that petitioner is no where related with the said Pickup

or the said Truck. He further submits that petitioner is neither driver nor khalasi nor owner of the said vehicles. He also submits that as per allegation, there were 4 persons who were apprehended from a nearby place and petitioner has also been apprehended upon chase. He further submits that petitioner is poor villager and under surprise he has visited to see the Truck and Pickup standing in chamber, after seeing the Police he started fleeing and Police has caught him. He also submits that the antecedent of petitioner is clean and he is in custody since 01.05.2022 and charge sheet has already been filed in this case. Learned counsel further submits that the driver of Pickup van has already been granted bail by this Court vide order dated 18.11.2022 passed in Cr. Misc. No.49808 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-I-Special Judge, Excise, Saran at Chapra in connection with Dariyapur P.S. Case No. 227 of 2022, subject to

the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

ravishankar/-

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