

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56720 of 2022**

Arising Out of PS. Case No.-102 Year-2022 Thana- PARSABAZAR District- Patna

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VIKASH RAM @ VIKASH KUMAR VARNVAL S/O RAMDAHIN RAM  
Resident of village- Ramchora Mandir, P.S.- Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      11-11-2022                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner seeks bail in connection with Parsa Bazar P.S. Case No. 102 of 2022, registered for the offences punishable under Sections 467, 468 and 471 of the Indian Penal Code and read with Sections 30 (a), 41 (i) of the Bihar Prohibition and Excise Amendment Act, 2018.

As per allegation, 4500 litres of English wine of different brands, kept in Bags, has been recovered from a Truck, bearing Reg. No. BR01GA-4421.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. He further submits that the truck from which illegal wine was recovered does not belong to the petitioner. He also submits that petitioner is not named in the F.I.R. He further submits that nothing has been seized from the possession of the petitioners.

The petitioner has been languishing in jail since 05.08.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in one more case, namely, Taraiya P.S. Case No. 88 of 2022.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Special Judge, Excise, Patna, in



connection with Parsa Bazar P.S. Case No. 102 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

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