

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61497 of 2022**

Arising Out of PS. Case No.-100 Year-2022 Thana- BIDUPUR District- Vaishali

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Vikash Kumar @ Vikash Singh S/o Kapil Rai @ Kapil Singh Resident of  
village- Kanchanpur (Rahimapur), P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Ms. Asha Kumari

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

2      16-12-2022                      Heard Ld. counsel for the petitioner and Ld. APP  
for the State.

The petitioner seeks bail in connection with Bidupur  
P.S. Case No. 100 of 2022, registered for the offences  
punishable under Section 30(a) of the Bihar Prohibition and  
Excise Act.

As per allegation, 831.075 liters of foreign liquor  
has been recovered from a Bamboo clump.

The learned counsel for the petitioner submits that  
the petitioner is innocent and has falsely been implicated in  
this case. He further submits that nothing has been  
recovered from the conscious possession of the petitioner.



The petitioner has been languishing in jail since 22.09.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has earlier moved before this Court for grant of anticipatory bail vide Cr. Misc. No. 35949 of 2022.

It has further been stated in paragraph no. 3 of the petition that the petitioner has been made accused in ten more cases.

However, the Ld. 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. Exclusive Special Excise Court No.1-cum- Additional Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 100 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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