

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43 of 2022**

Arising Out of PS. Case No.-311 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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VIKKU KUMAR, S/O BACHCHA PATHAK, R/o village- Paru Gopalpur,
P.S.- Paru, District- Muzaffarpur (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-06-2022 As prayed, learned counsel for the petitioner is permitted to make correction in paragraph '1' of the application.

Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Chandra Sen Prasad Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Excise Case No. 311 of 2021 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018. He is in custody since 12.10.2021. The petitioner has got one criminal antecedent in which he is on bail.



Learned counsel for the petitioner submits that in course of vehicle checking, the Excise officials intercepted one Maruti Alto car on chase bearing registration number BR1AL 6415 and recovered 241.920 litres illicit liquor and the petitioner was arrested on the allegation that he was driving the vehicle.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no concern with the vehicle in question and nothing has been recovered from his conscious possession.

Mr. Chandra Sen Prasad Singh, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner has remained in custody in connection with this case since 12.10.2021, investigation against him is complete and his presence may be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with



Excise Case No. 311 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

