

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1698 of 2022**

Arising Out of PS. Case No.-466 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Muzaffarpur

=====

Vikash Kumar Son Of Naval Ram R/O Village- Bajitpur Majhauri, P.S.-  
Bochahan, Dist.- Muzaffarpur (bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      13-05-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

Recovery is of 35 litres of *toddy*.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list nothing has been recovered from the conscious possession of the petitioner rather the alleged



recovery of 35 litres of toddy has been made from the hut of the petitioner and the police after investigation submitted chargesheet and the petitioner is in custody since 23.11.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Excise Case No. 466 of 2021 (P.R. No. 77 of 2021), with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 step 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.

**(Rajesh Kumar Verma, J)**

Ibrar//-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

