

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66498 of 2022

Arising Out of PS. Case No.-8 Year-2021 Thana- MOTIPUR District- Muzaffarpur

Vikash Kumar @ Vikesh Kumar @ Bikesh Kumar Son Of Man Bhagat
Resident Of Village- Rasoolganj, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Motipur P.S. Case no. 8 of 2021 instituted for the offence under Sections 272, 273 of Indian Penal Code and Sections 30(a), 41(1)(2) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 250 litres of Raw Sprit and 54 litres of I.M.F.L., from the backyard of cow shed of co-accused Rakesh Kumar.

Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the place of occurrence. Petitioner is the brother of co-accused Rakesh. It is further submitted that the petitioner lives separately from his brother and he is not concerned with the affairs of his brother. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Motipur P.S. Case no. 8 of 2021, he will be enlarged 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 Special Judge, Excise, Court No. II, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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