

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3300 of 2023

Arising Out of PS. Case No.-272 Year-2022 Thana- BHAGWANPUR District- Vaishali

VIVEK KUMAR Son of Shiv Chandra Rai R/V- Kiratpur Rajaram, P.S-
Bhagwanpur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 990 liters of country made is said to have recovered from place of occurrence. He submits that two persons apprehended on the spot who disclosed the name of the petitioner that the petitioner is also involved in the present case. He submits that there is no recovery made from the



conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Fifty Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the facts and circumstance of the case and the fact that nothing recovered from the conscious possession of the petitioner, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bhagwanpur P.S. Case No. 272 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any



similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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