

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11540 of 2023

Arising Out of PS. Case No.-144 Year-2021 Thana- BISFI District- Madhubani

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VAGISH KUMAR THAKUR @ SALU THAKUR S/o Sushil Thakur R/o
Village- Raghauli, P.S.- Bisfi, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mrs. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
APP of the State.

Learned counsel for the petitioner filed a
supplementary affidavit submitting that due to typographical
mistake in the cause title of the bail application the name of the
petitioner and the district has wrongly been typed.

Office is directed to correct the same.

The correct name and parentage should be read as
follows:

Vagish Kumar Thakur @ Salu Thakur @ Vagish
Thakur, aged about 30 years (Male), son of Late Sushil Thakur,
resident of village Raghauli, P.S. Bisfi, District Madhubani,
Bihar.

The petitioner apprehends his arrest in a case



registered for the offences punishable under Sections 272/273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 1931.760 liters of foreign liquor is said to have been recovered from a house allegedly kept by the petitioner. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of his enemy. It is further submitted that the name of the petitioner has been disclosed by the local chaukidar who is in inimical terms with the petitioner. Petitioner has two criminal antecedents and one is the similar nature of the offence, as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.1,00,000.00 (Rupees One Lakh) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.



Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Bisfi P.S. Case No. 144 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(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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