

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24244 of 2023

Arising Out of PS. Case No.-56 Year-2021 Thana- KALYANPUR District- Samastipur

Vikki Kumar Son Of Late Bharat Rai @ Bharat Rai R/O Village- Kalyanpur,
P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections-30(a), 41(I)(II) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

The prosecution case, in short, is that a video became viral in which, the petitioner is said to be seen with liquor.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that a video became viral in which, the petitioner is said to be seen with liquor. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. There is no recovery of liquor from the house of the petitioner. There is no FSL report on record to



show that the viral video is a genuine or it is a fake one. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C. Learned counsel for the petitioner has placed reliance upon the order dated 13-04-2022 passed by the Hon'ble Supreme Court in Cr. Appeal No. 626 of 2022 (Sweta Kumari versus State of Bihar.)

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court, in connection with Kalyanpur P.S. Case No. 56 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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