

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30583 of 2023

Arising Out of PS. Case No.-106 Year-2022 Thana- SAKRI District- Madhubani

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Bikram Kumar Singh @ Bikram Yadav @ Vikram Kumar Singh Son Of
Bhola Yadav @ Jai Prakash Bhuwan Resident Of Village - Sagarpur, P.S. -
Sakri, Distt. - Madhubani, At Present Village And P.S. - Pandaul, Distt. -
Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

learned APP for the State.

The petitioner seeks bail in connection with G.R.
No. 933 of 2022 arising out of Sakri P.S. Case No. 106 of
2022, registered for the offences punishable under Sections
272 and 273 of the IPC and Section 30(a), 38 (I), 41 (i) of
the Bihar Prohibition and Excise Act.

As per allegation, from a truck, altogether 5544
litres of Indian Made Foreign Liquor were recovered.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that nothing has been recovered



from the conscious possession of the petitioner. He also submits that the name of petitioner transpire in FIR itself on confession of other co-accused who was apprehended at spot. He further submits that the petitioner was not apprehended on spot. He also submits that that the petitioner has no concern with seized article nor he has any concerned with Truck in question. He further submits that the other co-accused persons, namely, Bikki Mahto and Chandan Kumar Safi have already been enlarged on bail by other coordinate Bench of this Court vide order dated 02.12.2022 passed in Cr. Misc. No. 59955 of 2022 and 63709 of 2022 respectively.

He further submits that the petitioner has been languishing in jail since 17.03.2023.

It has also been stated in paragraph no. 3 of the bail petition that apart from the present case, the petitioner is also made accused in 14 other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has earlier moved before this Hon'ble Court for grant of anticipatory bail which was



rejected. However, petitioner has never moved before this Court for grant of regular bail in the present case.

However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of ₹10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Sakri P.S. Case No. 106 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(vi) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bond will be cancelled by the court below.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office



objections.

(Jitendra Kumar, J)

Amrendra/-

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