

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36124 of 2023**

Arising Out of PS. Case No.-32 Year-2021 Thana- BARHARA District- Bhojpur

VIKASH KUMAR @ VIKSH KUMAR SINGH SON OF LATE KRISHAN  
NANDAN SINGH RESIDENT OF VILLAGE- AKAWANA, PS-  
BARHARA DISTRICT- BHOJPUR

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh  
For the Opposite Party/s : Mr. Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      28-07-2023                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner is apprehending his arrest in a  
case registered for the offences punishable under Section 30(a)  
of the Bihar Prohibition and Excise Act.

3. 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 84 liters of country made  
mahua wine is said to have recovered from a motor-cycle. He  
further submits that allegation against the petitioner is that he  
managed to ran away from the place of occurrence. 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.

4. Petitioner is agreed to deposit a sum of Rs. 10,000.00/- (Rupees Ten 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.

5. Considering the facts and circumstance of the case and the fact that there is no recovery 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 Barhara P.S. Case No. 32 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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