

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 38233 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- MIRGANJ District- Gopalganj

VIKASH KUMAR SINGH @ VIKASH KUMAR S/O RAMAKANT SINGH
R/O Village- Harkhauli, Mauja, PS. Mirganj, Dist. Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr Ashok Kumar Singh, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner and the
learned APP.

The petitioner has preferred this application for grant of regular bail in connection with Mirganj PS Case No 187 of 2022 dated 29.05.2022 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 181.440 litres of illicit foreign liquor was recovered from the car.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has sixteen antecedents, as stated in paragraph 3 of the bail petition. In thirteen cases, he is on bail which are similar nature of offence except three cases. He is in custody in this case since 02.05.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.



Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge IV -cum- Special Judge, Excise Court No II, Gopalganj in Mirganj PS Case No 187 of 2022 dated 29.05.2022 subject to the following conditions:

(1) One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

(2) The petitioner shall remain physically present before the Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds are liable to be cancelled.

(3) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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