

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45262 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- BEUR District- Patna

VIKASH KUMAR S/o- SATENDRA RAI R/o- Sipara Bathani Gali, Ps- Beur
Dist- patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Nandan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-08-2023 Heard the parties.

The petitioner is apprehending arrest in connection with Beur Police Station, Patna F.I.R. No. 154/2023 instituted under under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 27.2.2023 by the informant, Anil Kumar.

As per the prosecution story, the police checked a parked Hyundai car and recovered/seized 1025 liters of Mahua. Further, on confidential enquiry, their names cropped up, the petitioner being one of them.

The case of the petitioner is that he is a social worker and has no connection with alleged vehicle.

Learned APP opposes the prayer.

Considering the fact that the alleged recovery is from a car which does not belong to the petitioner, FIR lodged and he



will ultimately have to face the trial, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Beur Police Station, Patna F.I.R. No. 154/2023 to the satisfaction of learned Special Judge Excise, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;



(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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