

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51291 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- JAYNAGAR District- Madhubani

VIKRAM KUMAR Son of Lal Sahni Resident of village - Neem Chowk,
ward no. 14, P.S. - Laheriyasarai, Distt. - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Jaynagar P.S. Case No.257 of 2023 instituted under Sections 272, 273/34 of the IPC and Section 30(a) of Bihar Prohibition & Excise Act, 2022 lodged on 15.06.2023 by the informant Raushan Kumar.

As per the prosecution story, the police on secret information that Awadhesh Singh is selling liquor from his orchard raided the place and apprehended accused persons and on check from the bag 252 liters Nepali countrymade liquor recovered/seized followed by the FIR.

It is the case of the petitioner that he is not the owner of the orchard, has no criminal antecedent and has already remained in custody since 16.06.2023 (para-11 of the petition) only because he was present at the wrong place.



Learned APP opposes the prayer for bail.

Considering the aforesaid submissions put forward by the learned counsel for the petitioner as also that he do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Jaynagar P.S. Case No.257 of 2023 to the satisfaction of learned Additional Sessions Judge,Ind cum Special Judge, Excise Act, Madhubani, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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;

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

(Rajiv Roy, J)

Prakash Narayan

U		T	
---	--	---	--

