

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56471 of 2023

Arising Out of PS. Case No.-47 Year-2021 Thana- PARASI District- Jehanabad

VIKASH KUMAR SON OF RANJIT PRASAD VILLAGE PURANI
SHAHAR NEAR KILA WARD NO.2 P.S. DAUDNAGAR DISTRICT
AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

3. On the basis of the secret information, the informant along with police party reached the place of occurrence. After seeing the police party, the accused persons started to flee away, but two persons were arrested. On search, 95 litres of country made liquor has been recovered from the motorcycle of the apprehended persons, whereas from another motorcycle bearing Reg.No.BR26T-8985, 80 litres country made liquor has been recovered.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no concern either with the seized liquor or place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case. He was not apprehended on the spot. He has been made accused in the present case merely on suspicion. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned



Court below where the case is pending/successor Court in connection with Parasi P.S. Case No. 47 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

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

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

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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