

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66242 of 2023

Arising Out of PS. Case No.-209 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Vikram Kumar S/O Chandra Kumar Sahni R/O Vill- Gohda Rupouli, P.S-
Mushrigharari, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Samastipur (Muffasil) P.S. Case No. 209 of 2023 dated
28.03.2023, instituted for the offence punishable under Sections
30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 20.340 litres of
illicit liquor from the Shitalpatti Bejhadih Chaur i.e. open field.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
from the conscious possession of the petitioner. The said liquor
has been recovered from the open place which is accessible to



all. It is submitted that petitioner has no concern with the alleged place of occurrence as well as the alleged seized illicit liquor. Lastly, it has been submitted that the petitioner has two criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Samastipur (Muffasil) P.S. Case No. 209 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.- I, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

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