

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59323 of 2022

Arising Out of PS. Case No.-155 Year-2018 Thana- SASARAM MUFFSIL District- Rohtas

Vikash Kumar @ Bablu Ram S/O Santosh Ram Resident of village- Chuna
Bhatta, P.S.- Sasaram (T), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Ajay Kumar Tiwari, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Sasaram (Mufassil) P.S. Case No. 155 of 2018, for the offences punishable under Sections 30(a), 35, 38 of the Bihar Prohibition and Excise Act, 2016.

The police in course of raid recovered total 2080.90 liters of Indian made foreign liquor from the mud boundary of Shankar Dom and cowshed of Somaru Paswan. The petitioner is allegedly found to be involved in the trade of illicit wine.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner was neither apprehended at the spot nor any incriminating material has been recovered from his person or possession. He further submits that co-accused Shankar Dom and Somaru Paswan have already allowed the privilege of bail by learned Co-ordinate Bench of this court. He lastly submits that petitioner is in custody since 27.07.2022.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the petitioner is found involved in three identical cases and he has found involved in trade of illicit wine.

Regard being had to the submissions made on behalf of the parties and considering the fact that other co-accused persons from whose possession recovery has been made have already been allowed the privilege of bail by learned Co-ordinate Bench of this Court and the investigation of the crime is already complete and the charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2-cum-Addl. District & Sessions Judge, Rohtas at Sasaram, in connection with Sasaram (Mufassil) P.S. Case No. 155 of 2018, subject to the condition



that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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