

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61626 of 2022

Arising Out of PS. Case No.-674 Year-2022 Thana- AGAMKUAN District- Patna

VIRENDRA KUMAR VISHWAKARMA, SON OF MATA PRASAD
VISHWAKARMA, R/O VILLAGE- MAGARAH, P.S.- CHUNAR, DISTT.-
MIRZAPUR (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 Today being Friday, matters are being taken up through
virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Agamkuan
P.S. Case No. 674 of 2022 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

On secret information, it is alleged that the police has
come to the spot, where illegal consignment of cough syrup, nearly
800 (eight hundred) liters was being unloaded. The petitioner has
been arrested from the place of recovery. It is alleged that he has
confessed to be the consignee.

Learned counsel for the petitioner submits that the
petitioner has been arrested merely because he was near the place



from where vehicles were seized and cough syrup was recovered. He is a man of clean antecedents and has no concern with the consignment. He is in custody since 04.09.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Patna City, in connection with Agamkuan P. S. Case No. 674 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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