

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64775 of 2023

Arising Out of PS. Case No.-181 Year-2019 Thana- BAISI District- Purnia

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Bikki Singh @ Samarjeet Singh @ Vickky Singh Son of Late Tej Narayan Singh Resident of Village- Hansha, Uttar Tola, Near Petrol Pump, P.S- Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr .Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-10-2023 Heard Mr. Ramesh Kumar Singh, learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Baisi P.S. Case No. 181 of 2019, registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 41 & 47 of Bihar Prohibition and Excise Act, 2016.

3. Allegedly, on a secret information the police intercepted a Scorpio vehicle and apprehended two persons. In course of search one country made pistol has been recovered from the possession of co-accused, Milan Kumar. It is further alleged that 259.68 liters of different brand of Indian Made



Foreign Liquor and Beer has been recovered from the said vehicle. The apprehended person disclosed the name of the petitioner as one of the consignee to the illicit wine.

4. It is submitted on behalf of the petitioner that the petitioner has neither any concern with the vehicle in question nor with the recovered illicit liquor. He further submits that in fact only on account of his past criminal antecedent of identical nature, the police by one way or other has implicating his name in different cases and the present is also an example of one of such case. However, he is on bail in all the three criminal cases particulars of which has been mentioned in paragraph – 3. Besides the aforesaid submissions he also submits that there are various other infirmities in the search or seizure. The petitioner undertakes that he will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is not named in the FIR, irrespective of the fact that certain allegation has been levelled against him by the accused persons. That apart the petitioner has no way connected



to the vehicle in question, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge Court No. 1, Purnea in connection with Baisi P.S. Case No. 181 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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