

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73792 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- GOGRI District- Khagaria

BINOD KUMAR VIKRAM @ BINOD KUMAR S/O Ganesh Singh R/O
Village- Telihar, P.S- Beldour, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Singh, Advocate
		Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 117 liters of foreign liquor is
said to have recovered from the Bolero vehicle. He submits that
the petitioner is implicated in this case by the informant on the
basis of the fact that the petitioner is the owner of the alleged
seized vehicle. He submits that the said vehicle was used to run



by a driver (Jitendra Kumar) and the driver fled away from the place of occurrence. He further submits that petitioner has got one criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Gogri (Paura) P.S. Case No. 39 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(1) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

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

(Anjani Kumar Sharan, J)

anand/-

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