

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.203 of 2023

Arising Out of PS. Case No.-255 Year-2022 Thana- UCHKAGAON District- Gopalganj

VIKASH KUMAR @ BULLET SINGH S/O Yogendra Singh R/O Village-
Jamsar, P.S- Uchkagaon, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 07.11.2022 in connection with Uchkagaon P.S. Case No. 255 of 2022, F.I.R. dated 28.07.2022 registered for the offence punishable under Sections 30(a)(b) of the Bihar Prohibition and Excise Amendment Act, 2022.

Recovery is of 29 liters of country made wine.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case due to previous criminal history. Further submits that it appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the place of occurrence



and the petitioner was not apprehended on the spot and the petitioner has no concern at all with the alleged recovery of illicit liquor and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.11.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries nine more cases other than the present one but fairly submits that out of nine cases, the petitioner is no bail in six cases and rest three cases are pending for consideration.

Considering the aforesaid fact, let the petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Court-I, Gopalganj in connection with Uchkagaon P.S. Case No. 255 of 2022, with 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 shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) 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.

(3) And, further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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