

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23060 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- Excise P.S. District- Jamui

VIKKI KUMAR @ BIKKI KUMAR Son of Late Dilip Saw @ Dilip Sah
R/V-Samlong Mela Tanr, P.S.-Namkum, District-Ranchi (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Rajesh Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jam
(Excise) P.S. Case No. 62 of 2024 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, petitioner along with
co-accused apprehended on the spot and from a Chavarlet Car
bearing registration no. WB02AA-0786, total 243 liters of illicit
foreign liquor was recovered.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. He has no concern with the alleged recovered liquor and car. Nothing incriminating article has been recovered from his conscious possession. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 21.01.2024.

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

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise)-II, Jamui in connection with Jam (Excise) P.S. Case No.62 of 2024.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on



bail on furnishing bail bond with further condition that one of
the bailors must be close relative of the petitioner.

(Ramesh Chand Malviya, J)

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