

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47985 of 2024

Arising Out of PS. Case No.-166 Year-2024 Thana- JAKKANPUR District- Patna

Vikash Kamur Son of Gorakh Nath Sao R/O Vill. Jay Prakash Nagar, P.S.-
Jakkanpur, Dist.- Patna

..... Petitioner/s

Versus

The State Of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Bihari Singh, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-08-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jakkanpur P.S. Case No. 166 of 2024 for the offence under sections 30(a) of the Bihar Excise & Prohibition Act, lodged on 20.03.2024 by the informant, Ashutosh Mishra.

3. As per the prosecution story, the police during the routine patrolling near Karbighyia Station got information that a person with three bags is standing near the Patna-Gaya line. However, of the sight of the police he escaped and the name of this petition cropped up and there was from the bags 67.500 liters of illicit wine was recovered/seized, accordingly the FIR.

4. Learned counsel for the petitioner submits that only because he has criminal antecedents, he is being regularly implicated by the police. The recovered/seized abandoned bags



and the seizure has been attributed to him.

5. Mr. Jitendra Kumar Singh, learned APP opposes the prayer for bail submitting that he has criminal antecedents.

6. Taking into account the submissions of the parties made above as also the fact that nothing has been recovered from the conscious possession of the petitioner and the name of the petitioner has cropped up only on the basis of the suspicion, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise-II, Patna, in connection with Jakkanpur P.S. Case No. 166 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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