

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49550 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- KARTAHA District- Vaishali

Vikram Kumar @ Satya Prakash S/o Nand Kishor Singh R/o vill - Ramnagar
Tola, Ghataro, P.s. - Kartahan, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra, Adv.

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-08-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Kartahan P.S. Case No. 49 of 2024 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act 2022 lodged on 27.04.2024 by the informant, Gunjan Kumari.

3. As per the prosecution story, in course of strict vigil being made during the general election, a vehicle (Wagon-R bearing Registration No. BR-O1CY-4020) was intercepted and there is recovery/seizure of 63 litres of foreign liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the Wagon-R does not belong to him nor he has anything to do with the alleged recovery. Nothing has been recovered from his



conscious possession and only because of his criminal antecedent, he has been named.

5. Learned APP opposes the prayer stating that his name has cropped up from the statement of the Chowkidar.

6. Considering the aforesaid fact that the said vehicle does not belong to him and nothing has been recovered from his conscious possession, his name has come only on the basis of the statement of the Chowkidar, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Kartahan P.S. Case No. 49 of 2024, subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his 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 six months 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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