

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53807 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- MANJHI District- Saran

Vikash Kumar Singh @ Chokh Singh @ Vikash Singh Son of Jitendra Kumar Singh @ Jitendra Singh R/V- Dumaigarh, P.S.- Manjhi, Distt.- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Manjhi P.S. Case No. 106 of 2024 dated 07.04.2024 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of total 77.760 litres illicit foreign liquor from the bank of Saryu river.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner has been made accused in this case only on the basis of disclosure made by *Chaukidar*. Nothing has been recovered from the conscious possession of the petitioner or from his house. Petitioner has no



concern with the said illicit liquor. During the course of investigation, no independent witness has supported the version of the F.I.R. Learned counsel for the petitioner further submits that only on the basis of criminal antecedents of the petitioner, he has been made accused in this case. Lastly, it has been submitted that petitioner has three criminal cases against him, in which he is on bail.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Manjhi P.S. Case No. 106 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra subject to condition as laid down under Section 438(2) of the Cr.P.C., as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. 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.

(Khatim Reza, J)

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