

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61723 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- SARSI District- Purnia

Vikash Kumar Singh Rajput @ Vikas Kumar Singh Son of Arjun Singh R/o
Makhnaha, Purab Tola, P.S.- Banmankhi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 2 23-08-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Sarsi
P.S. Case No. 105 of 2024 instituted for the offences punishable
under Sections 272, 273 of Indian Penal Code and Section 30(a)
of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 1193.25
litres of liquor was recovered from Scorpio and Bolero.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner transpired in this case on the basis of
confessional statement of the co-accused Gulab Chaudhary. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 09.07.2024 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted bail by this Bench vide order dated 10.07.2024 passed in Cr. Misc. No. 47921 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sarsi P.S. Case No. 105 of 2024.

(Rudra Prakash Mishra, J)

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