

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65633 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- Excise P.S. District- Samastipur

Vikash Kumar @ Vikash Rai Son of Ram Lal Ray R/O Village- Alampur
Simri, P.S.- Vidhyapatinagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

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

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in Patory
Excise P.S. case No. 04 of 2024 registered under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that 2619.36
liters liquor was recovered from the field of co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got three criminal antecedents.
The name of the petitioner has transpired in this case only on the
basis of suspicion. Except for suspicion, there is nothing alleged
against the petitioner. No incriminating material has been



recovered from the conscious possession of the petitioner. The petitioner has got no knowledge and concern with the alleged recovery of liquor. It is further submitted that recovery is made from the field of co-accused who has been granted regular bail by this Bench vide order dated 13.03.2024 passed in Cr. Misc. No. 18735 of 2024. There is no compliance of Section 100 of Cr.P.C.

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

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Patory Excise P.S. case No. 04 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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