

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83347 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- CHACKMEHSI District- Samastipur

Vijay Kumar S/O Dev Narayan Mahto Resident of ward no.- 14 Kushiyari,
P.S -Chakmehsi, Distt.- 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 : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 281 and 125 of the Bharatiya Nyaya Sanhita, 2023 and Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 871.23 liters of foreign liquor is said to have been recovered from a white colour pick-up van. Petitioner has been made accused in this case as he is the owner of the said vehicle. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The petitioner has



given his vehicle to his driver to ply on rent and he has no concern regarding the contents laden therein. Petitioner has five criminal antecedents and out of five four are of similar nature of the offence as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.50,000.00 (Rupees Fifty Thousand) in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No.: 7801893276, IFSC Code : IDIB000L501, Bank Name: Indian Bank, Branch-LNMI, Bailey Road, Patna.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Chakmehsi P.S. Case No. 146 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyers' Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

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