

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82901 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- TAJPUR District- Samastipur

Vikram Kumar Thakur @ Vikram Kumar S/o- Shankar Thakur Resident of
Village- Bherokhara Kurmi tola PS-Tajpur District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-12-2024 Heard Mr. Deepak Kumar Singh, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Tajpur P.S. Case No. 214 of 2024 for the offences punishable under Sections 30(a), 41(i) (ii) of the Bihar Prohibition and Excise Act, lodged on 09.09.2024 by the informant, Lallan Kumar Jha.

3. As per the prosecution story, the informant alleged that during patrolling and upon secret information, a Xylo vehicle was intercepted and there is recovery/seizure of 55.500 litres of English wine. Accordingly, the FIR/arrest.

4. It is the case of the petitioner that though he owns the car, had no knowledge about the driver carrying the liquor and despite having no criminal antecedent, is in custody. The last submission is that irrespective of the outcome of the present



case and or accepting the allegation he intends to pay Rs.10,000/- (Ten thousand) to the District Legal Services Authority, Samastipur, for installation of steel benches in the Civil Court campus, Samastipur.

5. Learned APP opposes the prayer.

6. Considering the submissions put forward by the parties as also the fact that nothing has been recovered from his conscious possession, has remained in custody since 01.10.2024 (para-01 of the petition) having no criminal antecedent, this Court is inclined to extend him the privilege of bail, subject to the payment of Rs. 10,000/- (Ten thousand) through Bank draft issued by the local State Bank of India to the District Legal Services Authority, Samastipur, for installation of steel benches in the Civil Court campus, Samastipur. A receipt thereof has to be submitted before the Trial court, Samastipur.

7. Let the petitioner, above named, 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 Judge, Excise Court No.2, Samastipur in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family



member/relative 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 month 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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