
(2019) 12 PAT CK 0252

Patna High Court

Case No: Criminal Miscellaneous No. 78492 Of 2019

Vishal Kumar

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision: Dec. 16, 2019

Acts Referred:

Indian Penal Code, 1860 " Section 34, 120B, 414#Bihar Prohibition And Excise (Amendment) Act, 2018 " Section 30(a)

Citation: (2019) 12 PAT CK 0252

Hon'ble Judges: Ahsanuddin Amanullah, J

Bench: Single Bench

Advocate: Bipin Kumar, Jharkhandi Upadhyay

Final Decision: Disposed Of

Judgement

1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner seeks bail in Muffasil P.S. Case No. 482 of 2019 dated 13.09.2019 instituted under Sections 414, 120B, 34 of the Indian Penal Code and 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.
3. The petitioner is accused along with six other persons of dealing in illicit liquor.
4. Learned counsel for the petitioner submitted that there is no recovery from him and the same was from the saw mill of co-accused Rohit Kumar and he along with one Jitendra Kumar was also caught at the spot from where 407.625 litres of liquor has been recovered. It was submitted that only on the confessional statement of the arrested persons, the petitioner has been made accused. It was submitted that the petitioner is in custody since

31.10.2019. It was further submitted that co-accused Amit Kumar has been granted anticipatory bail by order dated 12.12.2019 passed in Cr. Misc.

No. 82389 of 2019 whereas Rohit Kumar has been granted bail on 15.11.2019 in Cr. Misc. No. 72334 of 2019.

5. Learned APP submitted that the petitioner is also involved in such activity.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on

furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional

Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in Muffasil P.S. Case No. 482 of 2019.

7. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the

petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and

conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before

the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of

his bail bonds.

8. The application stands disposed off.