

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2509 of 2018

Arising Out of PS.Case No. -209 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Vikas Kumar @ Balajee, Son of Basukinath Singh, resident of Village-
Madhopur, P.S. Mahua, District- Vaishali at Hajipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajesh Kumar, Advocate.

For the Opposite Party/s : Mr. Rajeev Nayan, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 24-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Mahua P.S. Case No.
209 of 2017 registered under Sections 30(A), 32(ii), 38(ii) and
41(i) of the Bihar Prohibition and Excise Act.

4071 litres of foreign liquor is said to have been
recovered from a truck parked near the brick kiln and three
accused persons named in the F.I.R. including Aditya Kumar @
Bittu were apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession the petitioner. The petitioner is neither named
in the F.I.R. nor was apprehended on the spot. His name has



surfaced in the case on the basis of confessional statement of co-accused Aditya Kumar @ Bittu and the said Aditya Kumar @ Bittu has been enlarged on bail by a co-ordinate bench of this court in Cr. Misc. No. 53965 of 2017 vide order dated 15.11.2017. Though one more case has been lodged against the petitioner under the Excise Act, but he has been enlarged on bail in the said case. He has been remanded in the case from the said case. The petitioner has been languishing in custody since 11.12.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Hajipur in connection with Mahua P.S. Case No. 209 of 2017.

(Prakash Chandra Jaiswal, J)

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