

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3952 of 2021

Arising Out of PS. Case No.-172 Year-2020 Thana- VAISHALI District- Vaishali

=====

VIVEK KUMAR SON OF SAHDEB CHAUDHARY RESIDENT OF
VILLAGE- MADARNA, P.S.- VAISHALI, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-08-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Vaishali P.S. Case No. 172 of

2020 instituted for the offence under Section 30(a) of the

Bihar Prohibition and Excise Act, 2018.

There is an accusation against the petitioner that

from his possession, liquor has been recovered

The learned counsel for the petitioner has drawn

the attention of this Court to the seizure list which

indicates that the recovery is from a toilet by the road side

situated outside the house of the petitioner. The learned



counsel for the petitioner has further submitted that presently the petitioner along with his family has been residing at a different place and he has falsely been made accused in this case. In fact, one of the persons, namely, Manoj Choudhary was arrested and from his provision shop also, there has been recovery of excisable items. Thus, it has been submitted that for no apparent / good reason, the petitioner has been made accused in this case when the facts disclosed in the F.I.R. and the seizure list do not make out any case under the Excise Act as against him.

The petitioner does not have criminal antecedents.

For the aforesaid reasons, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II,



Vaishali at Hajipur, in connection with Vaishali P.S. Case
No. 172 of 2020, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

