

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22712 of 2022

Arising Out of PS. Case No.-275 Year-2021 Thana- BIDUPUR District- Vaishali

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KAPILDEV SINGH @ KAPIL SINGH @ KAPIL RAI Son of Late Ram
Prasad Ray Resident of Village - Kanchanpur, P.s.- Bidupur, Distt.- Vaishali.
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Bidupur PS Case No. 275/2021 registered for the offence punishable under Sections 30(a) of Bihar Prohibition & Excise Act 2016.

The police got a secret information that the petitioner along with other accused persons have brought the consignment of illicit foreign liquor and have unloaded the same in a banana orchard proceeded towards the place of occurrence and upon seeing the police party the petitioner along with other accused persons succeeded in fleeing away and total quantity of 1152.585 litres of illicit liquor along with 168 litres of beer have been recovered from the hutment situated near the banana orchard.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of secret information. He further submits that no illicit liquor has



been recovered from the conscious possession of the petitioner or from the premises belonging to him rather it was recovered from a hutment situated in banana orchard which does not belong to the petitioner. The petitioner is in custody since 10.03.2022.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him, the petitioner is in custody since 10.03.2022 there is no likelihood that the trial will be concluded in near future, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge, Excise Court No.1, Vaishali at Hajipur in connection with Bidupur PS Case No. 275/2021.

(Anil Kumar Sinha, J)

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