

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32137 of 2022

Arising Out of PS. Case No.-679 Year-2021 Thana- FATUA District- Patna

VIKKI KUMAR @ SANJAY KUMAR Son of Late Brijraj Prasad Yadav @
Late nagina Prasad @ Brijray Yadav Resident of Village - Mirjapur Nahta,
P.s.- Fatuhan, Distt.- Patna, Presently Resident of Village - Shisha Mill , Patel
Nagar, Sonaru, P.s.- Fatuha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sangeeta Sharma,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State
through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Fatuha P.S. Case
No. 679 of 2021 registered for the offence under Section 30(a)
of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.09.2021.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 4644 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is not connected with alleged vehicle and illicit liquor. It is submitted that no recovery was made from conscious physical possession of the petitioners. It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, while opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the alleged recovery of illicit liquor has not been made from the conscious physical possession of the petitioner, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Fatuha P.S. Case No. 679 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna City/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-
Ravishankar/-

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