

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.36757 of 2021

Arising Out of PS. Case No.-75 Year-2021 Thana- KARJA District- Muzaffarpur

VIPUL KUMAR @ BIPUL KUMAR @ VIPUL Som of Vimal Ray Resident
of Village- Narhar Sarai, P.S.- Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey

For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 07-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Karja Police Station Case No. 75 of 2021, registered for the
offences punishable under Sections 272/273/34 of the Indian
Penal Code and Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, on the basis of the secret information,
raided the hutment of the petitioner and recovered a total
quantity of 476.64 litres of illicit liquor from the said hutment.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case and the hutment, from where the illicit liquor has been recovered, does not belong to the petitioner and the same was kept by five other co-accused persons. He further submits that the hutment is situated in an open space and the same is accessible to all and sundry. He further submits that the petitioner is in custody since 22.03.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, charge sheet has already been submitted, no illicit liquor has been recovered from the conscious possession of the petitioner, and the petitioner is in custody since 22.03.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

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 Special Judge, Excise, Muzaffarpur, in connection with



Karja Police Station Case No. 75 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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