

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32908 of 2022**

Arising Out of PS. Case No.-845 Year-2020 Thana- KUDHNI District- Muzaffarpur

VIKASH KUMAR S/o Shankar Rai Resident of Vill.-Bhawanipur, P.S.-  
Kudhani (O.P.-Turkey), Distt.-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Binod Kumar,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 Kudhani  
(O.P.-Turkey) P.S. Case No. 845 of 2020 registered for the  
offence under Sections 272 and 273 of the Indian Penal Code  
and Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition and  
Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 24.11.2021

The allegation against the petitioner is to be engaged  
in illegal trading/manufacturing of illicit liquor, where, there is  
recovery of 50 litres of IMFL/country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that recovery is made from open place. It is submitted that petitioner is a man of clean antecedent. It has further submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, 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, who is a man of clean antecedent 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 Kudhani (O.P.-Turkey) P.S. Case No. 845 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court of Spl. Judge (Excise), Court No.II, Muzaffarpur/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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