

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39282 of 2022

Arising Out of PS. Case No.-493 Year-2020 Thana- GORAUL District- Vaishali

Vinod Kumar @ Vinod Kumar Sah S/o Lakshman Sah R/o village-
Simarbara, P.S.- Patepur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-08-2022 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 Goraul
P.S. Case No. 493 of 2020 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 05.05.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 412.920 litres of IMFL/country made liquor from
the place of occurrence.



Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner involved in present case only for the reason that the Registration Certificate (RC) of the alleged Pick Up Van from where recovery of 34.560 litres of illicit liquor was made, is still standing in the name of the petitioner. It is also submitted that the alleged vehicle has already been sold much prior to the occurrence i.e. on 24.01.2020 and admittedly, it is not a case of recovery of illicit liquor from the possession of the petitioner. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as implication is only due to Registration Certificate (RC) which stands in the name of the petitioner on the date of occurrence, 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 Goraul P.S. Case No. 493 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 Exclusive Special
Excise Court No.-1-cum-Additional District and Sessions Judge,
Vaishali at Hajipur/concerned court, subject to the conditions as
mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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