

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44038 of 2022

Arising Out of PS. Case No.-277 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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Vikash Kumar, Son of Umesh Prasad Yadav Resident of Village - Matnaza,
Ward no. 07, P.S.- Madhepura Town, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Wasi Ahmad Khan, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Madhepura Excise P.S. Case No. 277 of 2022
registered for the alleged offences under Section 30 (a) of the
Bihar Prohibition and Excise Act.

Allegedly, 0.600 litres of cough syrup was recovered
from the possession of this petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case merely on suspicion. Nothing incriminating has been



recovered from his conscious possession. Alleged recovery has been made from somewhere else and shown in the possession of this petitioner. Moreover, the quantity of syrup is only 600 ml. The prosecution report has been submitted in this case. The petitioner is in custody since 02.07.2022 and is having clean antecedent.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner.

Having regard to the submissions made on behalf of the petitioner and considering the quantity of cough syrup and further considering the submission of prosecution report and the period of custody of the petitioner, he is directed to 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 In-charge Additional District and Sessions Judge-IV-cum-Special Judge Excise, Madhepura, in connection with Madhepura Excise P.S. Case No. 277 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on



each and every date fixed by the court
below.

(iii) In case of absence on three consecutive
dates or in violation of the terms of the bail,
the bail bond of the petitioner will be liable
to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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