

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45695 of 2022

Arising Out of PS. Case No.-417 Year-2021 Thana- BIKRAMGANJ District- Rohtas

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Vikash Sah @ Vikash Kumar @ Vikash Kr. S/O Kamal Sah @ Kamal Shah
R/O Village- Marauna, P.S.- Bikramganj, District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with
Bikramganj P.S. Case No. 417 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 04.04.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is



recovery of 673.44 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was made from house of the co-accused, namely, Dhiraj Kumar, where name of the petitioner surfaced on the basis of apprehended co-accused, namely, Sunita Kuer. It is submitted that this is not a case of recovery of illicit liquor from conscious physical possession of the petitioner. It is further submitted that petitioner is involved in one more criminal case, in which he is on bail. While concluding the argument, it has been submitted that investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was not 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 Bikramganj P.S. Case No. 417 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 learned 2nd



Additional Sessions Judge-cum-Exclusive Special Excise Court-
1, Rohtas at Sasaram/concerned court, subject to the conditions
as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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