

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47008 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Vikash Kumar, Son of Late Ramdev Paswan, R/V- Lakshmipur Digra, P.S-
Mahua, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Hajipur Excise P.S. Case No. 65 of 2022
registered for the alleged offences under Sections 30(a) and
30(c) of the Bihar Prohibition and Excise Act.

As per prosecution case, recovery of 7 litres country
made liquor was made from the hut of Vikash Kumar along with
160 litres of *Jawa Mahua* solution which was destroyed.

The learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The petitioner was not apprehended from the place of recovery and the recovery was made from a hut which does not belong to any particular person. Nothing incriminating has been recovered from the possession of the petitioner. The signature of the petitioner was forcibly taken on a blank paper. The petitioner is in custody since 25.05.2022 and charge-sheet has been submitted and he is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made on behalf of the parties and considering the period of custody of the petitioner along with his clean antecedent and the submission of charge-sheet, the petitioner above named 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 Exclusive Special Prohibitions and Excise Court-IIInd-cum-Additional District and Sessions Judge Hajipur, Vaishali in connection with Hajipur Excise P.S. Case No. 65 of 2022, subject to the other conditions under Section 437(3) of the Cr.P.C. and 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.

(Arun Kumar Jha, J)

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