

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49723 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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PARVEEN KUMAR @ PRAVEEN KUMAR SON OF RAMEQBAL RAY
R/O VILLAGE- MANGURAH, P.O. AND P.S.- GANGA BRIDGE,
DISTRICT- VAISHALI, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-09-2022 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 Hajipur
Excise P.S No. 113 of 2022 registered for the offence under Sections
30(a), 32(1), 32(3), 41(1) and 41(2) of the Bihar Prohibition and
Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.07.2022.

The allegation against the petitioner is to be engaged in
illegal trade of illicit liquor, where, there is recovery of 449.28 litres
of illicit IMFL.

Learned counsel appearing on behalf of the petitioner



submitted that alleged recovery of illicit liquor was made from abundant semi-constructed house, which is not connected with the petitioner. It is further submitted that petitioner is a man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already 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 no recovery of illicit liquor appears to be made from the conscious physical possession of the petitioner, who is man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Hajipur Excise P.S. No. 113 of 2022 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.II, Hajipur at Vaishali/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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