

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52900 of 2022

Arising Out of PS. Case No.-258 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Vikash Kumar Son of Ramnandan Singh R/o village - Barbatta, Ward No.- 3,
P.S.- Musarigharari, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 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 Excise P.S. Case No. 258 of 2022 registered for
the alleged offences under Section 30(a) of the Bihar Prohibition
and Excise Act, 2018.

As per prosecution case, police received secret
information about storing and selling of illicit liquor by the
petitioner. Thereafter, the police conducted a raid in the house of
the petitioner and recovery of total 954 litres of India made
foreign liquor was made. The petitioner was apprehended from



the spot.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has no concern with the allegedly seized liquor and nothing incriminating has been recovered from his conscious possession. He has been made accused in this case due to village politics. The petitioner is having clean antecedent. The charge-sheet has been submitted and the petitioner is in custody since 12.08.2022.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering his period of custody along with 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 Special Judge, Excise Court No. 2, Samastipur in connection with Excise P.S. Case No. 258 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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