

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68899 of 2021

Arising Out of PS. Case No.-156 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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ARVIND KUMAR, S/o Late Raghunath Rai Resident of Village - Nurpur,
Ward No. 1, P.S. Hajipur Sadar, District - Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Lakmesh Marvind, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-02-2022

Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 23.07.2021,
seeks regular bail in connection with Hajipur Sadar C2A No.
156 of 2021, for the offence punishable under Sections 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether
191.440 litres of Indian Made Foreign Liquor was recovered
from the thatched hut of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has clean antecedent and he has no



connection either with the hut from which the illicit liquor was recovered nor he has any connection with Vikash Kumar as such the petitioner be released on bail.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, prima facie, it appears that nothing has been recovered from the conscious possession of the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with C2A Case No. 156 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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