

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61365 of 2022**

Arising Out of PS. Case No.-118 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Vikash Rai S/O Rambabu Rai R/v- Madhopur, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Ms. Nidhi Anand, Advocate
For the State	:	Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State through virtual Court proceedings.

The petitioner seeks bail in connection with C2A No.118 of 2021 registered for the offence under Sections 30(a), 32(i), 32(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 27.09.2022.



The allegation against the petitioner is to be involved in illegal trading of illicit liquor, where, there was recovery of 500.760 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of disclosure made by the driver of the vehicle and admittedly no recovery of illicit liquor was made from the conscious physical possession of the petitioner. 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 appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as the recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner coupled with the fact that chargesheet has been submitted, let above named petitioner directed to be released on bail in connection with C2A No.118 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 Exclusive Special Prohibition and Excise Court No.II-cum-Additional District and



Sessions Judge, Vaishali at Hajipur/concerned court, subject to
the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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