

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61174 of 2022**

Arising Out of PS. Case No.-128 Year-2020 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Vikash Rai Son of 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 : Mr. Nidhi Anand, Advocate
For the State : Mr. Pushpa Sinha.1,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.128
of 2020 registered for the offence under Sections 30(a) and 32(i)
(3) 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 1177.20 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that admittedly alleged recovery of illicit liquor was made from the house of co-accused, namely, Bhim Paswan, where name of petitioner surfaced, merely on the basis of suspicion as raised by some unknown villagers, where nothing surfaced during the course of investigation, to connect this petitioner with alleged recovery of illicit liquor. While concluding the argument, it is categorically 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 alleged illicit liquor not appears to be made from conscious physical possession of the petitioner coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with C2A No.128 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of Exclusive Special Prohibition
Excise Court No.II-cum-Additional District and Sessions Judge,
Vaishali, 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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