

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67705 of 2022

Arising Out of PS. Case No.-508 Year-2022 Thana- PURNEA SADAR District- Purnia

Vikky Kumar Singh Son of Late Rajendra Singh Resident of Village-
Milanpura Tola, Khuskibagh, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-12-2022 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 Sadar P.S.
Case No. 508 of 2022 registered for the offence under Sections
30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 23.09.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 140.830 litres of IMFL/country made liquor from
jointly occupied house of this petitioner.

Learned counsel appearing on behalf of the petitioner



submitted that alleged recovery of illicit liquor was made from the house of this petitioner, which is occupied by other family members and, as such, it can be safely said that the alleged recovery of illicit liquor was not made from the conscious physical possession of this petitioner. It is pointed out that as petitioner found involved in 4 criminal cases, where he is on bail, his name surfaced in present case also out of suspicion arises out of those criminal antecedents. It is also submitted that compliance of Section 100(4) of the Cr.P.C. also not appears to be made in the present case. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has 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 recovery of alleged illicit liquor not appears to be made from the conscious physical possession of this petitioner 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 Sadar P.S. Case No. 508 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 Judge Excise-1, Purnea/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C. with further condition:

“Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.”

(Chandra Shekhar Jha, J)

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