

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22469 of 2023**

Arising Out of PS. Case No.-37 Year-2023 Thana- CHAKIA District- East Champaran

Vijay Kumar, S/o Rajendra Prasad, Resident of Village- Ghanghati  
(Phulwariya), Ward No.- 5, P.S.- Chakiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      12-05-2023                      1. Heard learned counsel for the petitioner and the  
learned APP for the State.

2. Petitioner seeks regular bail in connection with  
Chakiya P.S. Case No. 37 of 2023 dated 31.01.2023 registered  
for the offences punishable under Sections 30 (a), 32 36, 38, 41  
of Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned  
counsel for the petitioner are that the instant matter relates to the  
recovery of 1595.52 litres of foreign liquor and the same is  
stated to have been recovered from the petitioner's house but in  
fact the petitioner was not present at the time of recovery and  
his wife was arrested and the petitioner had no knowledge about  
the said liquor and he has been languishing in jail since  
14.02.2023 and at the time of institution of the FIR the



petitioner had no criminal antecedent and later on he was remanded in one Kalyanpur P.S. Case No. 35 of 2023 and the seizure list witnesses are not independent witnesses and the alleged place of occurrence which is the petitioner's house is a joint premises of the family members of the petitioner and against the petitioner the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly petitioner's custody period and completion of investigation against him and also petitioner's the plea as to the place of occurrence being a joint premises of his family members, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Chakiya P.S. Case No. 37 of 2023 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

**(Shailendra Singh, J)**

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