

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31339 of 2023

Arising Out of PS. Case No.-207 Year-2022 Thana- CHACKMEHSI District- Samastipur

Vikash Kumar Son Of Late Babulal Sah @ Baue Lal Sah Resident Of Village-
Saidpur, Ps- Chakmehsi, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Chakmeshi P.S. Case No. 207
of 2022 dated 28.11.2022 registered for the offences punishable
u/s 30(a), 32(ii) and 41(i)(ii) of the Bihar Prohibition and Excise
Act.

As per the prosecution case, total 3133.08 litres of
illicit liquor and 20 litres of *mahuwa* were recovered from the
truck and the pick-up van.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is neither the owner nor the driver of the said vehicles. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 12.04.2023 passed in Cr. Misc. No. 19224 of 2023. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 22.03.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Chakmeshi P.S. Case No. 207 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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