

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 35345 of 2023**

Arising Out of PS. Case No.-361 Year-2022 Thana- BARSOI District- Katihar

VIKASH RAI @ VIKASH KR RAI S/O ASHOK RAI R/O Barsoi Bazar, P.S-
Barsoi, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr Madan Kumar, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 **25-05-2023** 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 Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Barsoi Police Station (for brevity, **PS**) Case No 361 of 2022 dated 22.12.2022 registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise Act.

As per the prosecution case, total 24.900 liters of illicit country made liquor and 1.800 liters of illicit foreign



liquor was recovered from the Jhola (bag) which was allegedly thrown by the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has two criminal cases, as stated in paragraph 3 of the bail petition. He is in custody in this case since 19.03.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Exclusive Special Excise Court No II, Katihar in Barsoi PS Case No 361 of 2022 dated 22.12.2022.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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