

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44277 of 2023

Arising Out of PS. Case No.-140 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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Vikash Kumar Son of Rambhu Das @ Sagar Das Resident of village -
Champapur Balua Birti Tola, P.S. - Ramgarhwa, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a
period of four weeks from today.

3. The petitioner seeks bail in connection with
Govindganj (Malahi) P.S. Case No. 140 of 2023 registered for
the offence under Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act.

4. The accused/petitioner is named in the F.I.R. and
is in custody since 11.03.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 397.440 litres of IMFL/country made liquor



from the vehicle.

6. Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor appears to be made from jointly occupied bolero vehicle and as such, it can be said safely that recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as alleged recovery of illicit liquor appears to be made from jointly occupied vehicle, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 11.03.2023, accordingly, above named petitioner is directed to be released on bail in connection with Govindganj (Malahi) P.S. Case No. 140 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, East Champaran at Motihari/



concerned court, subject to the conditions as mentioned under
Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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