

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50475 of 2023**

Arising Out of PS. Case No.-305 Year-2022 Thana- PATEPUR District- Vaishali

Vikash Kumar @ Baba @ Vikash Kumar Baba S/O Late Shankar Sah R/O  
Village- Kashturi Sarai, P.S- Patepur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      11-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 613.08 liters of country made liquor from the house of co-accused, namely, Raju Singh.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. It is further submitted that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from other co-accused person. The petitioner has no



concern with the seized liquor. The name of the petitioner has been transpired in this case on the basis of disclosure made by local chowkidaar. There is no independent witness of the seizure list which violates the provision of Section 100 Cr.P.C. Moreover, he is languishing in judicial custody since 07.06.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patepur P.S. Case No. 305 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2 Vaishali at Hajipur.

**(Sunil Kumar Panwar, J)**

Shubham/-

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