

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60130 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- PRANPUR District- Katihar

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Vishnu Pratap Singh S/o Bhaglu Singh R/o Jalla Harerampur, P.S.-Pranpur,
Distt-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State

2. The petitioner seeks bail in connection with
Pranpur P.S. Case No. 128 of 2023 registered for the offence
under Section 30-A of the Bihar Prohibition of Excise Act.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 27.06.2023.

4. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,



there is recovery of 07 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated by police personnel as he was crossing the place of recovery, while returning to his village. It is further pointed out that the presence of petitioner on spot was just a matter of chance. It is further pointed out that false implication gets its strength as despite of proper display of registration number of motorcycle, it was not recorded by police, and same is apparent from the seizure list, which makes entire recovery doubtful. While concluding the argument, it is 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.

6. Learned APP appearing on behalf of State, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the nature of allegations, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 27.06.2023, accordingly, above named petitioner is directed to be released on bail in connection with Pranpur P.S. Case No. 128 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 Additional Sessions Judge, Exclusive Excise Court
No.2, Katihar/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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