

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70179 of 2023

Arising Out of PS. Case No.-1010 Year-2022 Thana- KHAJANCHI HAT District- Purnia

Vikki Yadav @ Rahul Kumar Son Of Uma Kant Yadav Resident Of Village -
Belwa Kamat, P.S. - Sadar Muffasil, District - Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 272 and 273 of the IPC
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
1818.505 liters of illegal foreign liquor from the house of co-
accused.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
The name of the petitioner has come into light on the basis of
confessional statement of co-accused of Rahul Kumar, which
has got no evidentiary value in the eyes of law. He submitted



that the petitioner has no concern with the wine in question. The provision of Section 100 of the Cr.P.C. has not been followed in this case. He submitted that the other co-accused has already been granted bail by this Bench vide order dated 29.08.2023 passed in Cr. Misc. No. 54920 of 2023. He is languishing in judicial custody since 11.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, Court No. 1, Purnia in connection with Khajanchi Hat P.S. Case No. 1010 of 2022.

(Sunil Kumar Panwar, J)

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