

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53214 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- NADI P.S. District- Patna

Vikas Kumar @ Vikash Kumar Son Of Jamun Sahni Resident Of Village -
Banstal, Police Station - Nadi, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-08-2024

Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Nadi P.S. Case No. 116 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act (Amendment), 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 38 liters of foreign made liquor

4. Learned counsel appearing on behalf



of the petitioner submitted that the implication of petitioner with present case was only made on the basis of secret input where even source of information not appears convincing from perusal of FIR. It is submitted that even the seizure list witness are interested persons being home guard personnels. It is submitted that the petitioner is neither owner nor driver and also not connected in any manner with alleged motorcycle. While concluding arguments, it is submitted that petitioner is found involved in one more criminal case but not of similar nature in which he is on bail.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as recovery of alleged illicit liquor *prima facie* not appears to be made from the conscious physical possession of this petitioner, accordingly petitioner above named, in the



event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Exclusive Special Court of Excise, Patna City/concerned Court, where the case is pending in connection with Nadi P.S. Case No. 116 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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