

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66638 of 2024

Arising Out of PS. Case No.-485 Year-2022 Thana- TAJPUR District- Samastipur

Vicky Pandey @ Vikki Pandey @ Vicky Pandey Son of Parasnath Pandey
R/O Vill.- Dharampur Bandey ,Police Station- Patory , District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-09-2024 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

Tajpur (Halai O.P.) P.S. Case No. 485 of 2022 registered for

the offence under Section 30(a) of the Bihar Prohibition and

Excise Act, 2018 and Sections 272, 273 and 34 of the I.P.C.

3. The accused/petitioner is named in the F.I.R.

and is in custody since 10.06.2024.

4. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 3257.28 litres of IMFL/country

made liquor from the alleged vehicles.



5. Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of confessional statement of co-accused persons, namely Nishu Kumar & Rohit Kumar, in furtherance of which no illicit liquor was recovered from the house of this petitioner. While concluding the argument, it has been submitted that petitioner found involved in eight more cases, where he is on bail in four cases and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as no illicit liquor appears to be recovered from conscious possession of this petitioner, coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Tajpur (Halai O.P.) P.S. Case No. 485 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge, Excise-II, Samastipur/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C./Section 480(3) of the BNSS with further condition:-

“Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.”

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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