

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65459 of 2024

Arising Out of PS. Case No.-259 Year-2021 Thana- MAHNAR District- Vaishali

Vicky Pandey @ Vicky Kumar @ Vicky Panday Son of Parasnath Pandey
village - Dharampur Bandey , Police Station - Shahpur 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. Kumar Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahnar P.S. Case No. 259 of 2021 dated 18.08.2021 registered for the offences punishable u/s 272, 273 read with Section 34 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1943.055 litres of illicit foreign liquor was recovered *from the Bathan of the co-accused.*

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery rather the recovery has been made from the *Bathan* of the co-accused *Dharmendra Paswan*. Nothing has been



recovered from the conscious possession of the petitioner. The petitioner has eight antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 19.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali, in connection with Mahnar P.S. Case No. 259 of 2021, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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