

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69816 of 2024

Arising Out of PS. Case No.-106 Year-2021 Thana- JANDAHA District- Vaishali

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Vicky Pandey @ Vikki Pandey @ Vicky Kumar @ Vicky Panday Son of
Parasnath Pandey Resident of Village - Dharampur Bandey, Police Station -
Shahpur Patory, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-10-2024 Heard the parties.

2. The petitioner seeks bail in connection with Jandaha P.S. Case No. 106 of 2021 registered for the offence under Section 414 of IPC read with Section 30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise (Amendment) Act.

3. The accused/petitioner is named in the F.I.R. and is in custody since 05.06.2024.

4. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 2624.565 litres of



IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of secret input and admittedly, it is not a case of recovery of alleged illicit liquor from the physical possession of the petitioner. While concluding the argument, it has been submitted that investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence. While concluding the argument, it is submitted that one of the reason for false implication of this petitioner is criminal antecedent of petitioner as he found involved in eight more criminal cases of similar nature where in maximum of the cases, name of the petitioner surfaced out of suspicion as of present case.

6. Learned APP, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor *prima-facie* not appears to be made from the physical



possession of the petitioner coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Jandaha P.S. Case No. 106 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. I-cum-Additional District & Sessions Judge, Vaishali at Hajipur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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