

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85273 of 2023

Arising Out of PS. Case No.-650 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Vikash Kumar SON OF LATE GOPAL RAI @ GOPAL RAY Village-
Nirupur @ Mirpur Patar, P.S.- Sarai, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

Prosecution case relates to recovery of total 2170.440 liters of country made foreign liquor from a Pickup bearing Reg. No. BR-06GD-9568.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Being the owner of the seized vehicle, he has been falsely implicated in this case. He has no concern with the alleged recovery of liquor. Neither the petitioner was arrested on



spot nor any incriminating article has been recovered from his conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Petitioner has got no criminal antecedent and languishing in judicial custody since 06.09.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 650 of 2021.

(Sunil Kumar Panwar, J)

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