

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2735 of 2025

Arising Out of PS. Case No.-131 Year-2024 Thana- PUSA District- Samastipur

Virendra Kumar, aged about 30 years (Male), Son of Ram Sevak Singh,
Resident of Village- Morsand, Police Station- Pusa, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ranjan Kumar, Advocate

For the Opposite Party : Mr. Raj Kishor Singh, A.P.P.

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

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Pusa P.S.
Case No. 131 of 2024 dated 05.12.2024 registered for the
offences punishable under Sections 30(a), 41(1), 41(2) and 47 of
the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 1674 litres of
foreign liquor is said to have been recovered from the Bolero
Pick-up vehicle.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in the
present case. The name of the petitioner has come in the present
case on the basis of the arrested co-accused person Raja Kumar
which has got no evidentiary value in the eye of law. The



petitioner has enmity with the said co-accused person Raja Kumar who named the petitioner in the present case. No incriminating article has been recovered from his possession. He was not arrested on the spot. The petitioner is neither the owner nor the driver nor the cleaner of the seized vehicle in question. The petitioner was residing in Delhi/Noida for his livelihood and he has no concern with the alleged offence. The petitioner has three criminal antecedents and in all cases he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 06.12.2024.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned Exclusive Special Judge, Excise-First, Samastipur in connection with Pusa P.S. Case No. 131 of 2024.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

