

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57420 of 2025

Arising Out of PS. Case No.-846 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

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Vicky Mahto @ Vicky Kumar S/O Ashok Kumar @ Ashok Mahto R/O Vill.-
Ismailpur, P.S.- Hajipur Sadar (Kazipur), Dist.- Vaishali Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Adv

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-09-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Hajipur Sadar (Kazipur) P.S. Case No. 846 of 2024 registered
for the offences under Section 30 (a) of the Bihar Prohibition
and Excise Act.

3. The petitioner is named in the F.I.R. and is in
custody since 27.03.2025.

4. The allegation against the petitioner is to be
engage in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 150 litres of IMFL/country made liquor
from a tempo bearing reg. no. BR 31 PA 1073.

5. Learned counsel appearing on behalf of the
petitioner submitted that name of this petitioner transpired in
this case on the basis of secret information. It is submitted
that petitioner was not apprehended on spot and, therefore, it
can safely gathered that recovery of illicit liquor was not made
from the conscious physical possession of this petitioner. It is
also submitted that one of the reason behind suspicion is
petitioner's criminal antecedents as petitioner found involved



in six more cases of similar nature, where he is on bail. While concluding the argument it is submitted that 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 appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as prima-facie recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, coupled with the fact as petitioner is in custody since 27.03.2025, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Hajipur Sadar (Kazipur) P.S. Case No. 846 of 2024 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. 1 cum District & Additional 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 the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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