

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50621 of 2018

Arising Out of PS.Case No. -154 Year- 2018 Thana -SHRIKRISHNAPURI District- PATNA

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Vishal Kumar, Son of Prem Nath Gupta @ Prem Nath Sah, Mohalla – Nasariganj, Biscuit Factory More, P.S.-Danapur, District – Patna at present resident of Shivpuri Ganji Factory, Road No.1, rented house of Sri Ram Pravesh Sharma, P.S.-Shastri Nagar, District – Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Prasad

For the Opposite Party/s : Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 18-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 30(a) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

Petitioner along with co-accused Gaurav Kumar and Vikash Ranjan @ Rahul @ Chhotu were apprehended and from possession of the petitioner, 8.250 litres of illicit liquor is said to have been recovered and on the basis of the disclosure made by the apprehended accused persons, 40.150 litres of illicit liquor was recovered from the possession of three other accused persons named in the F.I.R.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with the seized liquor. He has been falsely implicated in the case at the instance of his enemies. He had not made any disclosure and no incriminating article has been recovered on the basis of his disclosure. He has no criminal antecedent. He has been languishing in custody since 21.06.2018. Similarly situated co-accused, namely, Gaurav Kumar has been enlarged on bail by this court vide order dated 03.08.2018 passed in Cr. Misc. No. 47563 of 2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Sri Krishnapuri P.S. Case No. 154 of 2018, Special Case No. 5662 of 2018.

(Prakash Chandra Jaiswal, J)

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