

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22969 of 2019**

Arising Out of PS. Case No.-103 Year-2019 Thana- MANER District- Patna

VIKASH KUMAR, Gender-Male, aged about 20 years, Son of Ram Naresh Prasad Gupta @ Naresh Saw Resident of Maner Bazar, Police Station- Maner in the district- of Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      15-04-2019                      Heard the learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Special Case No.2123 of 2019 arising out of Maner P.S.Case No.103 of 2019 for the offence alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police personnel is that on secret information that the petitioner along with one Dablu Kumar is selling illicit liquor in the Maner Bazar Samiti, the police reached there and apprehended the petitioner while other co-accused managed to flee away. In the Bazar Samati in a dilapidated room 46.620 liters of illicit foreign liquor was recovered. Accordingly, a seizure list was



prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and is languishing in judicial custody since 25.02.2019. He submits that nothing has been recovered from his conscious possession and the illicit liquor was recovered in the market place and not from the possession of the petitioner

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Special Case No.2123 of 2019 arising out of Maner P.S.Case No.103 of 2019 to the satisfaction of learned Special Judge, Excise, Patna.

**(Nilu Agrawal, J)**

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