

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26003 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- VAISHALI District- Vaishali

ABHISHEK KUMAR S/o Munsu Ray Resident of Sisauni Rajauli, P.O.-
Rajauli, P.S.- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Vaishali P.S.
Case No. 105 of 2019 for offences punishable under Sections
30(a), 32(2), 41(1) of the Bihar Prohibition and Excise Act,
2018.

The prosecution case, as lodged by the police
personnel, is that on secret information that huge quantity of
illicit liquor is being carried in different vehicles, the police
conducted a raid and intercepted two 4-wheelers and one pick-
up van. From the vehicle of the petitioner 81 litres 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 history and has



been falsely implicated in the aforesaid case. He submits that petitioner is just a driver of the said vehicle, nothing has been recovered from his conscious possession and he is languishing in judicial custody since 21.03.2019.

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

Considering the nature of allegations and that petitioner does not bear any criminal antecedent, as stated in paragraph 3 of this application, let petitioner, above named, be enlarged on bail after completion of investigation on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge cum Special Judge (Prohibition and Excise Act), Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 105 of 2019, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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