

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79569 of 2018

Arising Out of PS. Case No.-258 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

Vipul Kumar, Son of Lagan Prasad, Resident of Village- Gopalwari, Police
Station- Masrakh, District- Saran at Chhapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Smt. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Baikunthpur P.S. Case No. 258 of 2018 for the offences
punishable under Section 30(a), 41,32(b), (ii), 38(1) of Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding the police having
apprehended a Bolero vehicle from which cartoons containing
illicit liquor were recovered. The alleged recovery is said to
have been released upon instruction of the officer in-charge of
the concerned police station. However, the petitioner is stated to
have been apprehended subsequently on the suspicion of being
owner of the said illicit liquor.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the petitioner is having a fair antecedent and he is languishing in custody since 30.10.2018. Lastly, it is submitted that neither any seizure of the illicit liquor has been made nor any seizure list has been prepared, hence, there is no evidence that the alleged offence has been committed by the petitioner.

Having regard to the fact and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise), Gopalganj, in connection with Baikunthpur P.S. Case No. 258 of 2018.

(Mohit Kumar Shah, J)

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