

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 18899 of 2020

**Vivek Kumar (Male) aged about 25 years Son of Babun Kumar @
Babun Kumar Pandey, resident of Seikhpura Dallu More P.S.
Ariyari, District Seikhpura**

.....Petitioner

Versus

The State of Bihar

.....Opposite Party

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Appearance

For the Petitioner : Mr. Manoj Kumar Pandey, Advocate

For the State : Mr. Nagendra Prasad, APP

CORAM : HONOURABLE MR. JUSTICE PARTHA SARTHY

Oral Order

2 14.05.2020

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner who is in custody since 31.1.2020 has filed the instant application for grant of bail in connection with Narhat P.S Case no. 19 of



2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, in course of checking of vehicle it is stated that a total of 171.915 litres of illicit liquor was recovered from a vehicle and two persons namely Ravi Kumar and Vivek Kumar, the petitioner herein were taken into custody.

It is submitted by learned counsel for the petitioner that the allegation of recovery of illegal wine is false and concocted. The petitioner who has no criminal antecedent is in custody since 31.1.2020. It is further submitted that co-accused Ravi Kumar has been enlarged on bail by order dated 13.5.2020 passed in Cr. Misc. no. 18101 of 2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has no criminal antecedent, his being in custody since 31.1.2020 and grant of bail to the similarly situated co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Narhat P.S. Case no. 19 of 2020 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ IInd-cum- Special Judge (Excise), Nawada.

(Partha Sarthy, J)

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