

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14181 of 2021

Arising Out of PS. Case No.-79 Year-2019 Thana- GARDANIBAG District- Patna

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VIKASH KUMAR @ VIKASH RAI @ VIKASH KUMAR YADAV S/O
RAM PRAVESH RAY @ RAM PRAVESH YADAV R/O MOHALLA-
YARPUR (YOGIA TOLA), P.S.-GARDANIBAGH, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-07-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Gardanibagh P.S. Case
no. 79 of 2019 (Special Case no. 1615 of 2019) registered under
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, a total of 84.525 litres of
liquor was recovered from the cow shed of the petitioner.

It is submitted by learned counsel for the petitioner
that the allegation of recovery as levelled in the FIR are false
and concocted. No incriminating article has been recovered
from the cow shed. In any case the alleged place of recovery is
not under the exclusive lock and key of the petitioner. The



petitioner has been falsely implicated in the case because of his antecedent. He is in custody since 20.6.2020 and investigation in the case has concluded.

Learned APP appearing for the State opposes the prayer for bail of the petitioner submitting that the petitioner has a case under the Bihar Prohibition and Excise Act pending against him from before.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner having remained in custody for over one year, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Gardanibagh P.S. Case no. 79 of 2019 (Special Case no. 1615 of 2019) on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna.

(Partha Sarthy, J)

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