

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30454 of 2021

Arising Out of PS. Case No.-339 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

VIKASH KUMAR CHOUDHARY Son of Sukhdeo Choudhary Resident of
Village - Gopalpur, P.S. - Zeromile, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-12-2021 Heard Mr. Rajiv Ranjan Singh, learned counsel for the
petitioner and learned Additional Public Prosecutor for the
State.

Petitioner seeks regular bail in connection with
Mojahidpur P.S. Case No. 339 of 2019 registered for the
offence under Section 30 (a) / 32 (2) / 30 (g) of the Bihar
Prohibition and Excise Act, 2016.

Total quantity of 249.495 liters of illicit liquor was
recovered from the Maruti Car by the Police and the owner
of the Maruti car was arrested. The name of the petitioner
has transpired on the basis of affidavit submitted by the
owner of the Maruti Car that at the



time of seizure of the illicit liquor the Maruti Car was being driven by the petitioner and he was driver of the car.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of statement made by the co-accused before the Police. He next submits that petitioner is in custody since 16-01-2021 and no illicit liquor has been recovered from the conscious possession and / or vehicle belonging to the petitioner. He further submits that charge sheet has already been submitted in this case and there is no likelihood that petitioner will abscond or tamper with the evidence if released on bail.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is not the owner of the vehicle from where the illicit liquor has been recovered, he is in custody since 16-01-2021, charge sheet has already been submitted, there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Addl. Sessions Judge 2nd cum Special
Judge (Excise Act), Bhagalpur in connection with Mojahidpur
P.S. Case No. 339 of 2019 .

(Anil Kumar Sinha, J)

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