

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34176 of 2021**

Arising Out of PS. Case No.-441 Year-2019 Thana- DEHRI TOWN District- Rohtas

VIKASH CHOUDHARY @ VIKASH KUMAR SINGH Son of Ram Bachan
Singh Resident of Village- Raghunathpur, P.S. - Nokha, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Adv. Mr.Ajay Kumar Tiwari, Adv. Ms. Preety Kunwar, Adv.
For the State	:	Mr.Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 14-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State, Ms. Asha Devi.

The petitioner seeks regular bail in connection with Dehri (Town) P.S. Case No. 441/2019, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of huge quantity of illicit wine from a truck and the co-accused person, namely, Ajay Singh, who was arrested from the spot, is stated to have disclosed the name of 10-12 persons, who are stated to have unloaded wine at some other place from the



same truck and one of them is stated to be the petitioner.

The learned Senior Counsel for the petitioner, Sri N.K.Agrawal, has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 3.3.2021. The learned Senior Counsel for the petitioner has further submitted that many of the co-accused persons including the person, who had disclosed the name of the petitioner, has already been granted bail by coordinate Benches of this Court vide orders dated 21.10.2019 and 14.1.2021 passed in Criminal Miscellaneous No. 63246 of 2019 and Criminal Miscellaneous No. 75349 of 2019.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials



available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by coordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Dehri (Town) P.S. Case No. 441/2019.

(Mohit Kumar Shah, J)

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