

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45123 of 2021**

Arising Out of PS. Case No.-187 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

VIVEK KUMAR Son of Late Dilip Prasad Sah Resident of Village - Sita
Rampur, P.S.- Sultanganj, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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

2 15-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Jagdishpur (Goradih) P.S. Case No. 187 of 2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 71.25 liters of illicit foreign liquor and 34 liters of illicit beer from a Hyundai Car.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 8.6.2021. The learned counsel for the petitioner has further submitted by referring to



Paragraph no. 9 of the present petition that the petitioner is not the owner of the vehicle in question.

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 fact that the petitioner is not the owner of the vehicle in question and is stated to be languishing in custody since 8.6.2021, 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 District and Sessions Judge-II-cum-Special Judge, Excise Act, Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case No. 187 of 2021.

(Mohit Kumar Shah, J)

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