

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61386 of 2021**

Arising Out of PS. Case No.-25 Year-2021 Thana- PHULWARISHARIF District- Patna

Vikash Kumar Son of Lal Babu Prasad Resident of Srirampur Tola, P.S.- Bihta,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kalyan Shankar, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 22-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, a total of 448.2 litres of IMFL is stated to have been recovered.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. The cause of his false implication is the statement of coaccused Aditya Kumar made before the police. The alleged recovery is from possession of the said Aditya Kumar. It is further submitted that a supplementary affidavit has been filed on behalf of the petitioner stating about the marriage ceremony of



the petitioner which is fixed to take place on 28.11.2021. The petitioner is in custody since 29.8.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case especially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Phulwarisharif P.S. Case no. 25 of 2021 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 Excise Judge, Patna.

(Partha Sarthy, J)

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