

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12938 of 2022

Arising Out of PS. Case No.-1008 Year-2021 Thana- PHULWARISHARIF District- Patna

VIKASH KUMAR Son of Kamta Singh Resident of Village - Devgana, P.s.-
Dawath, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhukar Anand
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 293.25 liters of foreign liquor has been recovered from a Scorpio vehicle which was being driven by this petitioner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner being driver of the vehicle was not aware of the nature of consignment transported by the vehicle and he was simply following the



instruction of the owner of the vehicle in question. Petitioner claims clean antecedent and is in custody since 23.11.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Patna in connection with Phulwarisharif PS case No.1008/2021.

(Prabhat Kumar Singh, J)

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