

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38932 of 2021**

Arising Out of PS. Case No.-91 Year-2021 Thana- BHAGWANPUR District- Begusarai

VIKASH KUMAR CHAURASIYA @ VIKASH Son of Ram Baran
Chourasia Resident of Village - Sanjat, Ward no. 5, P.S.- Bhagwanpur, District
- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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

2 25-01-2022 Heard.

The petitioner seeks regular bail in connection with Bhagwanpur P.S. Case No. 91 of 2021, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding the police having conducted a raid and recovered 225 liters of illicit Nepali wine from a mango orchard situated near the bank of river Gandak.

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 is languishing in custody since 29.4.2021. The learned counsel for the petitioner has further submitted that the illicit liquor has neither been recovered from the conscious possession of the petitioner nor the place, from where the same has been recovered, belongs to the petitioner, hence the petitioner is not having any complicity in the matter.

Per contra, Ms. Anita Kumari Singh, 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 parties and taking into account the materials available on record as also considering the fact that illicit liquor has neither been recovered from the conscious possession of the petitioner nor from his house, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named,



is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional Sessions Judge II cum Special Judge, Excise Act, Begusarai in connection with Bhagwanpur P.S. Case No. 91 of 2021.

(Mohit Kumar Shah, J)

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