

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42534 of 2021**

Arising Out of PS. Case No.-52 Year-2021 Thana- VISHNUPAD District- Gaya

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VIJAY CHAUDHARY S/O KAILASH CHAUDHARY R/O MOHALLA-
KHATKA CHAK NAILLY, P.S-VISHNUPAD, DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2022 Heard the learned counsel appearing for the petitioner
and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Vishnupad P.S. Case No. 52 of 2021 for the offence punishable under Section 30(a) of the Amended Bihar Prohibition & Excise Act, 2018.

The allegation is regarding recovery of 20 litres of illicit country made wine from the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 15.03.2021. It is further submitted that the house in question from where illicit liquor has been recovered, belongs to the petitioner and his family members and he is not the sole owner of the said



house, hence the recovery of illicit liquor cannot be attributed specifically to the petitioner herein.

Per contra, the learned A.P.P. 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 as also taking into account the period of incarceration of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise, Gaya in connection with Vishnupad P.S. Case No. 52 of 2021.

(Mohit Kumar Shah, J)

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