

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67283 of 2021

Arising Out of PS. Case No.-477 Year-2020 Thana- NARPATGANJ District- Araria

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VIKKY YADAV @ RAHUL KUMAR S/o- Umakant R/o- Belwa Kamat, P.S.
- Muffasil, Distt.- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a), 38(1), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 2556 litres of liquor was recovered from the truck in question and the two accused persons ie the driver and khalasi were taken into custody. It is further stated that on the disclosure made by the driver three other accused persons were taken into custody. It is further stated that the khalasi Sandeep Singh disclosed that it was the petitioner herein who had got the liquor loaded on the truck in question.

It is submitted by learned counsel for the petitioner that from the FIR itself it is clear that neither the petitioner was



arrested at the spot nor any incriminating article has been recovered from his possession. The only material against him is the statement of co-accused made before police. The reason for his false implication is his antecedent. He is in custody since 22.6.2021 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot together with having remained in custody for more than 10 months, the petitioner is directed to be enlarged on bail in connection with Narpatganj P.S. Case no. 477 of 2020 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 Additional Sessions Judge II-cum-Special Judge, Excise Act, Araria.

(Partha Sarthy, J)

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