

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70067 of 2021

Arising Out of PS. Case No.-85 Year-2021 Thana- DELHA District- Gaya

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VIKKY KUMAR YADAV @ VICKY KUMAR YADAV Son of Kapil Yadav
Resident of Village- Chhotaki Nawada, P.S.- Delha, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra 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 15-04-2022 Heard learned counsel for the parties through video conferencing.

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, 68 litres of liquor was recovered in front of the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession or his house. The alleged place of recovery cannot be said to be a place under lock and key or under the exclusive possession of the petitioner. The petitioner is in custody since 21.10.2021 and has no criminal antecedent under the Bihar Prohibition and Excise Act, 2016.



Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for over 5 months and not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Delha P.S. Case no. 85 of 2021 (CIS no. 837 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 Additional Sessions Judge II – cum – Special Judge, Excise Act, Gaya.

(Partha Sarthy, J)

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