

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16524 of 2023

Arising Out of PS. Case No.-150 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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VIKRAM KUMAR Son of Manoj Sharma R/V- Naghma, P.S- Itkhori Dist-
Chatra Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection
with Excise P.S. Case no. 150 of 2023 instituted for the offence
under Sections 30(a), 56(b) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of total 130.875
liters of illicit foreign liquor of different brands from a vehicle
bearing Registration no. JH02U-7390 which was being driven
by the petitioner at the time of occurrence.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this present case.



Petitioner is only driver of the vehicle in question but he has no concern with the alleged recovery illicit liquor. No any incriminating article has been recovered from his possession. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 24.1.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is alleged to be driver of the seized vehicle from where the recovery of illicit liquor has been made.

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Case No. 150 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge No.3, Gaya.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of Rs.
10,000/- (Rs. Ten thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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