

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33295 of 2023

Arising Out of PS. Case No.-491 Year-2021 Thana- SHERGHATI District- Gaya

VIKASH KUMAR Son of Late Chandrika Yadav @ Thethawan Yadav
Resident of Village- Dobhi, PS- Dobhi, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Sherghatti P.S. Case No. 491 of 2021 dated 14.08.2021 registered for the offences punishable u/s 414 of the IPC & u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 328.500 litres of country made mahuwa was recovered from a car.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired on the confession of the driver Bablu Kumar.. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 30.09.2022 passed in Cr. Misc. No. 14870 of 2022. The petitioner is accused in four other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 03.04.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Sherghatti P.S. Case No. 491 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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