

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66096 of 2023

Arising Out of PS. Case No.-249 Year-2022 Thana- VIJAYEPUR District- Gopalganj

AMAR PRAKASH SRIVASTAW @ GUDDU SRIVASTAV @ AMAR
PRAKASH SRIVASTAV @ GOODU SRIVASTAV @ AMAR PRAKASH
PRASAD SON OF OM PRAKASH SRIVASTAV, R/O VILLAGE-
VIJAYIPUR, PS- VIJAYIPUR, DIST- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Vijayipur P.S. Case no.249 of 2022 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on being signalled to stop while one of the accused managed to escape leaving behind his motorcycle, another accused was arrested and a total of 66 litres of liquor was recovered. The arrested accused disclosed that the other accused who had escaped was the petitioner herein and 60 litres of liquor was recovered from his motorcycle.

4. Learned counsel for the petitioner submits that the



petitioner was neither arrested at the spot nor has he any concern with the seized liquor or the motorcycle. He has no antecedent under the Bihar Prohibition and Excise Act, 2016 and is in custody since 7.4.2023.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the petitioner not having any concern with the seized motorcycle from which 60 litres of liquor was recovered, he being in custody for more than 6 months since 7.4.2023 and not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the Court directs the petitioner to be enlarged on bail in connection with Vijayipur P.S. Case no.249 of 2022 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 District and Sessions Judge 4th -cum- Exclusive Special Judge, Excise Court II, Gopalganj.

(Partha Sarthy, J)

Saurabh/-

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