

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65092 of 2023

Arising Out of PS. Case No.-549 Year-2023 Thana- Excise P.S. District- Madhepura

Vikash Kumar @ Vikas Kumar S/O Shivnarayan Yadav Resident Of Village- Mangarwar (Mangarbara) Ward No 08 Ps Srinagar, Dist- Madhepura. At Present College Chauk, Ward No. 3, Ps And Dist- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. According to the prosecution, the petitioner is alleged to have been apprehended by police from his rented room and from where, 159 liters of cough syrup along with 24 liters of foreign liquor were recovered.

4. 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. He has got no criminal antecedent as stated in



para-3 of the bail petition. Petitioner has no concern with the alleged recovery of cough syrup and illicit liquor. It is also submitted that seized cough syrup does not come under purview of commercial quantity. No any incriminating article has been recovered from conscious possession of the petitioner. Moreover, he is languishing in judicial custody since 3.9.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Madhepura Excise P.S. Case No. 549 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 Additional Sessions Judge VII-cum-Special Judge Excise-II, Madhepura.

(Sunil Kumar Panwar, J)

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