

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66798 of 2023

Arising Out of PS. Case No.-646 Year-2023 Thana- BODHGAYA District- Gaya

VICKY KUMAR @ RICKY KUMAR S/O RADHE YADAV R/O
VILLAGE-DIRANWA, TOLA CHAMARI BIGHA, P.S-BODH GAYA
CHERKI, DISTRICT-GAYA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bodh Gaya (Cherki) P.S Case no.646 of 2023 registered under section 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. As per the prosecution case, on motorcycle being signalled to stop it is stated that two of the accused managed to escape while one accused namely Santu Kumar was apprehended and 30 litres of liquor was recovered. The apprehended accused disclosed the names of the persons who had escaped which included the petitioner herein.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any



incriminating article recovered from his possession. He is in custody since 25.8.2023 and has no antecedent under the Bihar Prohibition and Excise Act, 2016.

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

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R, his being in custody since 25.8.2023 and not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Bodh Gaya (Cherki) P.S Case no.646 of 2023 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 Exclusive Special Excise Judge, Court no.1, Gaya.

(Partha Sarthy, J)

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