

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74539 of 2022

Arising Out of PS. Case No.-303 Year-2022 Thana- NOKHA District- Rohtas

ANKUR KUMAR SON OF VISHWANATH THAKUR R/O VILL.-
BARACHATTI, WARD NO. 14, P.S.- BARACHATTI, DISTT.- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Nokha P.S. Case No. 303 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 172.80 liters of illicit foreign liquor from a motorcycle and a car and the petitioner is stated to have been apprehended from the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 26.7.2022. The learned counsel for the petitioner has referred to paragraph no. 10 of the present petition to submit that the petitioner is neither the owner of the car in question nor of the motorcycle in question, hence, he is having no complicity in the matter. It is also submitted that similarly situated co-accused person, namely, Pramod Yadav, has already been granted the privilege of bail by a coordinate Bench of this Court, vide order dated 16.12.2022, passed in Criminal Miscellaneous No. 61913 of 2022.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-



accused person, who has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2-cum-Additional District & Sessions Judge, Rohtas at Sasaram in connection with Nokha P.S. Case No. 303 of 2022.

(Mohit Kumar Shah, J)

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