

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69783 of 2022

Arising Out of PS. Case No.-431 Year-2022 Thana- OBRA District- Aurangabad

VIKASH KUMAR S/O Basant Prasad @ Basant Prasad Verma R/O Village-
Gira, P.S- Obra, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Chandna, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Obra P.S. Case No. 431 of 2022
registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise
Act, 2018.

The allegation is regarding recovery of
82.875 litres of illicit liquor from the hay house of
the petitioner.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, he has
been falsely implicated in the present case and he



is languishing in custody since 23.10.2022. The learned counsel for the petitioner has further submitted that the hay house from where the illicit liquor has been recovered is not situated within the premises of the house of the petitioner, hence the possibility of the liquor being planted in the said hay house cannot be ruled out.

Per contra, the learned A.P.P. 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 fact that the illicit liquor has not been recovered from the conscious possession of the petitioner and the petitioner is languishing in custody since 23.10.2022, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction
of learned Special Judge Excise-2nd, Aurangabad
in connection with Obra P.S. Case No. 431 of 2022.

(Mohit Kumar Shah, J)

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