

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67835 of 2022

Arising Out of PS. Case No.-881 Year-2022 Thana- ARA NAGAR District- Bhojpur

VIVEK KUMAR S/O Narad Chauhan R/O Village- Prew, P.S- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mohan, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Ara Town P.S. Case No.881 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 300 litres of illicit liquor from a Maruti 800 vehicle and the petitioner is stated to have been arrested 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 09.10.2022. The learned counsel for the petitioner has further submitted by referring to paragraph no.8 of the present petition that the petitioner is neither the driver nor the owner of the vehicle in question, hence, the petitioner is not having any complicity in the matter.

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 on record as also considering the fact that the petitioner has categorically stated in the present petition that he is neither the driver nor the owner of the said vehicle in question, 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.-1st Bhojpur at Ara in connection with Ara Town P.S. Case No.881 of 2022.

(Mohit Kumar Shah, J)

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