

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72686 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- KHAJEKALA District- Patna

BIKKU KUMAR S/o Late Arjun Ray R/o- Diwan Mohalla Hamam Par, P.S.-
Khajekalan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

The petitioner seeks regular bail in connection with Khajekalan P.S. Case No. 188 of 2021, registered for the offences punishable under Sections 341, 323, 353, and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 400 litres of illicit liquor from a cart which was being steered by the accused persons including the petitioner herein.

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 10.10.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in two other cases but he is on bail in the said cases. The learned counsel for the petitioner has also submitted that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor he has been apprehended from the spot.

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 neither the illicit liquor has been recovered from the conscious possession of the petitioner nor he has been arrested from the spot, 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, Patna City in connection with Khajekalan P.S. Case No. 188 of 2021.

(Mohit Kumar Shah, J)

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