

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72473 of 2022

Arising Out of PS. Case No.-260 Year-2021 Thana- RAJAOLI District- Nawada

VIKASH KUMAR Son of Kameshwar Yadav Resident of village - Gopalpur
Dibbaur, P.S.- Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shilpi Keshri

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a) (d)/41 of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 80 litres
country made liquor and apparatus for preparing liquor from the
coast of Pichli river in jungle of Kumbhiyatri and on seeing the
police party, 8-10 accused persons taking the advantage of dark
forest managed to escape. Local people have disclosed the
name of the accused persons including the name of the
petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. He has got no criminal antecedent. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the local villagers before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 19.07.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge II, Nawada in connection with Rajauli P.S. Case No. 260 of 2021.

(Sunil Kumar Panwar, J)

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