

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73632 of 2022**

Arising Out of PS. Case No.-320 Year-2019 Thana- GAYA MUFASIL District- Gaya

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VICKEY KUMAR @ VICKEY SAO S/o Ishwari Shah @ Ishwar Saw @
Guard Babu R/o mohalla- Nauranga, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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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

Muffasli P.S. Case No.320 of 2019, registered for the offence

punishable under Section 30(a) of the Bihar Prohibition and

Excise Act, 2016.

The allegation is regarding recovery of 1719 liters of

illicit liquor from one auto and from one abandoned house and

the name of the petitioner has transpired in the present case

upon disclosure made by the apprehended co-accused person

namely Motilal Kumar.

The learned counsel for the petitioner has submitted



that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 11.11.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in three other cases but he is on bail in two of them. It is also submitted by referring to paragraph no. 8 of the present petition that neither the petitioner is the owner of the auto in question nor that of the house in question as also he has not been apprehended from the spot, hence, he 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 available on record as also considering the fact that neither the petitioner is the owner of the house or the auto in question nor he has been arrested from the spot nor any illicit liquor has been recovered from the conscious possession of the petitioner, 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 Court of Exclusive Special Judge
Excise Court No.01, Gaya in connection with Mufassil P.S.
Case No.320 of 2019.

(Mohit Kumar Shah, J)

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