

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75124 of 2022

Arising Out of PS. Case No.-576 Year-2022 Thana- WAJIRGANJ District- Gaya

1. Vinay Kumar Verma @ Vivek Kumar @ Vinay Kumar Son Of Bhuneswar Prasad Resident Of Village- Vrindawan, Gopi Moro, P.S.- Fatehpur, District- Gaya
2. Surendra Kumar Son Of Janardan Prasad Resident Of Village- Vrindawan, Gopi Moro, P.S.- Fatehpur, District- Gaya
3. Rahul Kumar Son Of Shivbalak Mistri Resident Of Village- Vrindawan, Gopi Moro, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunal Tiwary

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for bail in a case registered for the offence punishable under sections 30(a)/45 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 310 litres of country made liquor from motorcycle and pickup van. The petitioners are alleged to be associates in the alleged offence.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. They have no concern with the alleged recovery or with the vehicles in question. The name of the petitioners have been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from his conscious possession. They are languishing in judicial custody since 27.10.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

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 petitioners on bail. The above named petitioners are directed to be enlarged



on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court 1, Gaya in connection with Wazirganj P.S. Case No. 576 of 2022.

(Sunil Kumar Panwar, J)

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