

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13141 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- Excise P.S. District- Gaya

Vikash Kumar @ Bikash Kumar Son of Akhilesh Yadav R/O-Saloni Bigha,
P.S.-Konch, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise (Sherghati) P.S.
Case No.182 of 2023, instituted for the offences punishable
under Sections 30(a) and 56(b) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 90 liters
liquor was recovered from two motorcycles upon which 45
liters liquor was recovered from the motorcycle of petitioner
and was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. No incriminating



material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the petitioner is not the owner of the seized motorcycle. The petitioner is in custody since 14.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released 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 Court below/concerned Court in connection with Excise (Sherghati) P.S. Case No.182 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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