

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30096 of 2024

Arising Out of PS. Case No.-639 Year-2024 Thana- Excise P.S. District- Patna

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Vicky Ray @ Vicky Kumar Son of Vijay Prasad @ Vijay Yadav Resident of
Village - Murcha Road, Police Station - Chowk, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Md. Shakir Ahmad, APP

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

ORAL ORDER

2 20-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise (Prohibition)
P.S. Case No. 639 of 2024, 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 out of which 10 liter liquor was recovered
from scooty and 80 liters liquor was recovered from canal. The
petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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 neither owner nor driver of the seized scooty in question, rather he was standing beside the scooty. The petitioner is in custody since 22.03.2024 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 (Prohibition) P.S. Case No. 639 of 2024.

(Rudra Prakash Mishra, J)

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