

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36452 of 2024

Arising Out of PS. Case No.-1578 Year-2023 Thana- Excise P.S. District- Gaya

Vikash Kumar @ Vikash Yadav son of Krishna yadav Village- Kaiya
Budhgere Ps- Muffasil Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Excise P.S. Case no. 1578 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 35 liters illicit liquor from a motorcycle bearing Registration No. BR02AB-4948.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this merely being the owner of the seized vehicle. Neither he was



arrested on spot nor any incriminating article has been recovered from his conscious possession. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP appearing for the state has opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise P.S. Case no. 1578 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge No.3, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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