

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26561 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -AIRPORT District- PATNA

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Mukesh Kumar @ Mukesh, Son of late Muneshwar Yadav, Resident of
Road No. 3 Umashankar Tiwari Path North Jayaprakash Nagar, Patna, P.S.-
Rajiv Nagar, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla, Advocate

For the Opposite Party/s : Sri Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioner and
learned counsel for the State.

2. Apprehending his arrest in connection with Hawaii
Adda P.S.Case No.64 of 2017 registered for the offences under
Sections 47, 53 and 54 of the Bihar Prohibition and Excise Act,
2016, the petitioner has filed the present application under
Section 438 of the Code of Criminal Procedure for grant of pre-
arrest bail.

3. Since the offence is under Bihar Excise
Amendment Act, 2016, the application preferred under Section
438 of the Code of Criminal Procedure by the petitioner is
disposed of with observation that as the name of the



petitioner transpired in the disclosure made by the apprehended accused Rajkumar Singh and Pankaj Kumar who were consuming liquor and no offending article was found from the possession of the petitioner, there is no reason why the court below will not enlarge him on bail if he surrenders and offers adequate sureties to the satisfaction of the court concerned.

(Ashwani Kumar Singh, J.)

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