

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59902 of 2017

Arising Out of PS.Case No. -78 Year- 2017 Thana -BALRAMPUR District- KATIHAR

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1. Mukesh Bhagat, Son of Shambhu Bhagat, Resident of Village- Gera-Bari (Bazar), P.S.- Korha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-12-2017 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Balrampur PS case no. 78 of 2017 instituted for the offences punishable under Sections 272, 273/34 of Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 822 ltrs. of illicit foreign liquor and beer from the pick-up van and the petitioner's name transpired on the disclosure made by the driver of the said pick-up van.

The learned counsel for the petitioner submits that the petitioner is innocent, he is neither the driver nor the owner of the said vehicle and the petitioner has been falsely



implicated in the present case. It is further submitted that no recovery has been made from the conscious possession of the petitioner. It is next submitted that the petitioner is accused in one another case in which he is on bail and the petitioner is in custody since 10.11.2017.

Considering the nature of accusation and the period of custody undergone, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge-II-cum-Special Judge (Excise), Katihar in Balrampur PS case no. 78 of 2017.

(Mohit Kumar Shah, J)

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