

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23706 of 2018

Arising Out of PS. Case No.-104 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

Mukesh Rai @ Mukesh Kumar S/o Bihari Rai, Resident of Village- Dighi Khurd, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 23-04-2018 Heard Sri Anish Chandra, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Hajipur Sadar P.S. Case No.104/2017, registered for the offence under Section 414 of the Indian Penal Code and Sections 30A, 38 of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

By way of referring to the F.I.R., learned counsel for the petitioner submits that it is a peculiar case that only on the basis of secret information the petitioner has been made accused. He submits that F.I.R. discloses the fact as if on secret information that two accused persons, namely, Ajay Paswan and Vijay Paswan, were indulged in selling liquor in their house and petitioner used to supply liquor to them, a raid was shown to be conducted by the police officer in the house of Ajay Paswan



and Vijay Paswan, however none could be arrested from the house and about total 60 liters of country-made liquor was shown to be recovered. Learned counsel for the petitioner has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent.

Learned Addl. Public Prosecutor has opposed the prayer for bail.

Considering the facts and circumstances, particularly the fact that the petitioner is having clean antecedent, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Mukesh Rai @ Mukesh Kumar, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge (Excise Act), Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.104/2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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