

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9583 of 2019

Arising Out of PS. Case No.-665 Year-2018 Thana- MANER District- Patna

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MUKESH KUMAR @ PAPPU Son of Bala Rai R/o- Khaspur, P.S.- Maner,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
12.12.2018 in connection with Special Case No. 11740 of 2018,
arising out of Maner P.S. Case No. 665 of 2018 for offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that some persons are
selling Mahua wine near Ganga river, the police conducted a
raid and apprehended seven persons including the petitioner.
From the possession of petitioner 10 litres of Mahua wine was
recovered and altogether 110 litres of Mahua wine was
recovered from the apprehended co-accused. Accordingly, a



seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and he is languishing in judicial custody for more than two months. He undertakes not to induce witnesses or tamper with the prosecution evidence. It is further submitted that one of the co-accused, who was apprehended with larger quantity of Mahua wine, has since been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 240 of 2019 vide order dated 17.01.2019.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise Act), Patna, in connection with Special Case No. 11740 of 2018, arising out of Maner P.S. Case No. 665 of 2018.

(Nilu Agrawal, J)

Rajesh/-

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