

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22599 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- HATHAURI District- Muzaffarpur

Mukesh Rai @ Mukesh Kumar, Son of Late Ramadhar Rai @ Late Udar Rai,
Resident of Village - Paramjeebar, P.S.- Minapur, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-07-2019 This is an application for grant of anticipatory bail in connection with Hathauri P.S. Case No. 13 of 2019, disclosing offences under Sections 272, 273, 120B of the Indian Penal Code and Sections 30(a), 38(i) (ii) of the Bihar Prohibition and Excise Act, 2016.

Prosecution story is that a truck of Aqualite Company was inspected in the presence of Excise Inspector, from which huge quantity of liquor was recovered and two persons were arrested, who disclosed that the petitioner and other persons have approached for supply of the liquor, which they have brought.

Submission of the learned counsel for the petitioner is that except the confessional statement, there is nothing else has come during the investigation against the petitioner. Further submission is that he has no criminal antecedent.



Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that recovery is of huge quantity. However, after perusal of the case diary dated 22.03.2019, it does not disclose anything except the name of the petitioner transpires on the confessional statement of the apprehended accused persons.

Having heard both sides, considering the fact that except the confessional statement, there is nothing available against the petitioner, hence this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Special Judge Excise, Muzaffarpur, in connection with Hathauri P.S. Case No.13 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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