

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33523 of 2019**

Arising Out of PS. Case No.-131 Year-2019 Thana- GANDHIMAIDAN District- Patna

Mukesh Kumar S/o Sri Shiv Sahani Resident of Banpar Tola, Bhattacharya  
Road, P.S.- Gandhi Maidan, District- Patna, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Amarendra Prasad

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

2      21-05-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in connection with Gandhi  
Maidan P.S. Case No. 131 of 2019 registered for the offence  
punishable under Section 30(a) of Bihar Prohibition and Excise  
Act-2016.

1.5 lts. of foreign liquor is said to have been  
recovered from possession of the petitioner and he was  
apprehended.

It is submitted by learned counsel for the petitioner  
that no incriminating article has been recovered from conscious  
physical possession of the petitioner. He has no concern either  
with the seized liquor or with any trade of liquor. He has been



falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his possession. Petitioner has no criminal antecedent and has been languishing in custody since 17.03.2019.

On the other hand, learned APP for the State opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Gandhi Maidan P.S. Case No. 131 of 2019.

**(Prakash Chandra Jaiswal, J)**

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