

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 60500 of 2019

Arising Out of PS. Case No.-65 Year-2019 Thana- SONBERSA District- Saharsa

Mukesh Yadav @ Mukesh Kumar @ Mukesh Kumar Yadav, S/o Mahatma
Yadav R/o village- Jamhra, P.S.- Sonbarsa Raj, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sonbarsa (Sonvarsa) Raj P.S. Case no. 65 of 2019,
registered under Sections 272 and 273 of the Indian Penal Code
and under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The accusation is that on receiving secret
information about concealing of liquor in the orchard of
Pandav Yadav at village-Jamhra by Munchun Yadav, Mukesh
Yadav (Petitioner) and his brother Kaila Yadav, the informant
along with other Police officials reached there then saw four
persons concealing the cartons in the ditch in the orchard. On
seeing the Police party, all started fleeing, while they were



chased, but they succeeded to flee away through maize field. The local Chowkidar identified out of them Munchun Yadav, Mukesh Yadav (petitioner) and Kaila Yadav. On search, 206 bottles, each containing 375 ML, 160 bottles, each containing 375 ML Indian made foreign liquor recovered.

Learned counsel for the petitioner submits that petitioner was neither apprehended on the spot nor any incriminating articles recovered from the possession of the petitioner. The petitioner has been implicated in this case by the local Chowkidar due to village dirty politics. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-II-cum-Special Judge (Excise), Saharsa in connection with Sonbarsa (Sonvarsa) Raj P.S. Case No. 65 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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