

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4876 of 2020

Arising Out of PS. Case No.-301 Year-2019 Thana- BENIPATTI District- Madhubani

Mikku Kumar @ Mikku Nayak @ Nippu Nayak, Son of Kishun Nayak,
Resident of Village - Saharghat, Ward No.2, P.O.- and P.S.- Saharghat, Distt.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan

For the Opposite Party/s : Mr.Manoj Kumar

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

ORAL ORDER

3 10-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Benipatti P.S. Case No. 301 of 2019, registered under
Section 30(a) of the Bihar Excise Act, 2016.

The accusation is that in course of patrolling duty,
informant and other police personnel received information about
carrying illicit liquor by Bolero Vehicle then the informant and
other police personal started checking. At that time, one Bolero
vehicle bearing registration no. BR09F/5143 was seen. When
the signal was given to stop the Bolero vehicle then the person,
driving the aforesaid vehicle, succeeded to flee away. On search,
47 cartoons each containing 300 bottles of 300 ml Nepal liquor



were recovered from the aforesaid Bolero vehicle. The persons present there disclosed the name of Mikku Kumar (petitioner), who succeeded to flee away leaving the Bolero vehicle.

Learned counsel for the petitioner submits that petitioner is neither owner nor the driver of the Bolero vehicle, in fact, petitioner is accused in Madhwapur P.S. Case No. 04 of 2017, similar nature of case, due to that reason he has been implicated in the present case.

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 six 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 Learned Additional Sessions Judge-II-Cum-Special Judge, Excise Act, Madhubani, in connection with Benipatti P.S. Case No. 301 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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