

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5377 of 2020

Arising Out of PS. Case No.-164 Year-2019 Thana- PIYAR District- Muzaffarpur

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Mukesh Kumar Thakur @ Mukesh Son of Late Nawal Kishore Thakur,
Resident of Village - Sakari, P.S. - Piar (Hatha O.P.), District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Vijay Kumar Singh and Santosh Kumar
For the Opposite Party/s : Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Piar (Hatha O.P.) P.S. Case No. 164 of 2019 registered for offence punishable under sections 272, 273, 414 of the Indian Penal Code and section 30 (a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Allegation has been made that the police has received the information that Anuj Kumar, who had gone to jail, was plying C.T.100 Bike carrying load of illegal liquor. The police intercepted and recovered 7.5 litres of liquor. The petitioner has one more case of similar nature.

The submission has been made by the counsel for petitioner that FIR itself reflects that the petitioner was not carrying the load of illegal liquor. The petitioner's son was involved in the



trade of illegal liquor, for that, he was sent for jail. The petitioner was earlier granted anticipatory bail and at that time he had not done anything and on account of his son, the petitioner has been implicated in the present case, as in the FIR, the name of petitioner's son has come to carry illegal load of liquor.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Muzaffarpur in connection with Piar (Hatha O.P.) P.S. Case No.164 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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