

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4565 of 2020

Arising Out of PS. Case No.-316 Year-2019 Thana- PUNPUN District- Patna

MUKESH KUMAR Son of Shiv Chandar Yadav Resident of Village-Karai,
P.S.-Masaurhi, District-Patna. Petitioner

Versus

THE STATE OF BIHAR Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Babu, Advocate

For the Opposite Party/s : Mr.Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Punpun P.S. Case No. 316 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the petitioner being handicapped has been made accused for the alleged recovery of illicit liquor from the tempo. The petitioner has no concern with the tempo and is in custody since 3.12.2019 having no criminal antecedent.

Learned APP for the State has opposed the prayer of regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is a handicapped person and the tempo from



which the illicit liquor has been recovered does not belong to this petitioner as also that he has no criminal antecedent, let the petitioner above named be released on bail after completion of statutory period of investigation in Special Case No. 10825 of 2019 arising out Punpun P.S. Case No. 316 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise at Patna, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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