

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21814 of 2020

Arising Out of PS. Case No.-47 Year-2019 Thana- KATRA District- Muzaffarpur

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MUKESH SINGH @ MUKESH KUMAR SINGH (Male, aged about 48 years), son of Late Jay Narayan Singh, Resident of Village - Badadih (Dargah), P.S.- Katra, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 08-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through Virtual Court Proceeding.

In this case, the petitioner is seeking regular bail in connection with Katra P.S. Case No.47 of 2019, registered for the offence under Sections 30(a) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

Huge quantity of liquor has been recovered from a vehicle, from where a mobile phone was also found, which was found to be standing in the name of one Saraswati Devi and Saraswati Devi has disclosed the name of one Shambhu Sahani, who in turn, has taken the name of the petitioner and his son.

Learned counsel for the petitioner submits that the petitioner is not the owner of the vehicle nor he, in any manner, involved in bringing the liquor illegally. He further submits that co-accused Shambhu Sahani has been granted bail by a coordinate Bench of this Court in Criminal Miscellaneous No.65423 of 2019,



inasmuch as, the petitioner is in jail for last four months.

Learned counsel for the State submits that in the present case huge quantity of liquor has been recovered. He further submits that the petitioner has a criminal antecedent.

In turn, learned counsel for the petitioner submits that the case which has been mentioned in the bail petition has been registered after lodging of present case, so the same cannot be treated to be a criminal antecedent.

Considering the entire facts and circumstances of the case as well as the period of custody, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur, in connection with Katra P.S. Case No. 47 of 2019. This is also subject to the condition that after the release the petitioner would mark his presence before the nearest Police Station by 7th of every month for six months, failing which, this order will be treated to have been withdrawn.

(Shivaji Pandey, J)

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