

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24021 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- TEGHRHA District- Begusarai

Mukesh Kumar Son of Late Rameswak Das Resident of Village- Alapur, P.S.-
Teghra, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Ram Sewak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through Video Conferencing.

The petitioner seeks bail in Teghra P.S. Case No. 28 of
2020, registered for the offence punishable under Sections 414,
120(B) of the Indian Penal Code and Section 30(a) of Bihar
Prohibition and Excise Act 2016.

As per prosecution case, 54 litres of foreign liquor is
alleged to have been recovered from the road near Kabristan and
49.87 liters of illicit foreign liquor is alleged to have been
recovered from a Centro Car, bearing reg. no. BR25B/6545 and
petitioner alongwith one co-accused Dharmendra Kumar was
arrested on the spot.

It is submitted on behalf of the petitioner that
petitioner is innocent and has committed no offence and has
falsely been implicated in this case due to suspicion. Nothing
has been recovered from the conscious possession of the



petitioner. Petitioner has no concern either with illicit liquor or seized vehicle. It is further submitted that the apprehended other co-accused Dharmendra Kumar has already been granted bail by this Court, vide order dated 13-05-2020 passed in Cr.Misc. No. 16116 of 2020. Petitioner is in custody since 28-01-2020, having clean antecedent.

Considering the aforesaid facts, the petitioner above-named, is directed to be released on bail 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 Begusarai cum Special Judge Excise Act, Begusarai in connection with Teghra P.S. Case No. 28 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J.)

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