

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23116 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- RAJAOLI District- Nawada

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MUKESH KUMAR @ MUKESH YADAV Son of Lakhan Yadav Resident of
Village- Nagarbati, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2020 Heard Mr. Birendra Kumar, learned counsel for the

petitioner and Mr. Tarun Prasad Mandal , learned A.P.P.

appearing for the State appearing through video conferencing.

Petitioner seeks regular bail in connection with
Rajauli P.S. Case No. 23 of 2020 registered for the offence
under Section 30 (a) / 41 of the Bihar Prohibition and Excise
Act, 2016.

The allegation against the petitioner is that the Police
proceeded towards the village Hathochak and upon seeing the
Police party the petitioner along with other accused persons fled
away and a total quantity of 31 liters of Mahua liquor was
recovered from the place of occurrence.

Learned counsel for the petitioner submits that
petitioner has got no criminal antecedent and has falsely been
implicated in this case on the basis of disclosure made by the
village Chaukidar. Learned counsel further submits that illicit
liquor has been recovered from an open land which does not



belong to the petitioner and no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner and the petitioner is in custody since 21.05.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge -II - cum- Spl. Judge, Nawada / court concerned in connection with Rajauli P.S. Case No. 23 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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