

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72511 of 2019

Arising Out of PS. Case No.-101 Year-2019 Thana- LALGANJ District- Vaishali

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MUKESH RAI @ MUKESH Son of Daroga Rai Resident of Village -
Jafrabad, P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Asha Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Lalganj P.S. Case No. 101 of 2019, registered under Sections
30(a), 32(2) and 41(1) of the Bihar Prohibition and Excise Act,
2016.

The accusation is that on receiving secret information
about carrying the liquor loading on Magic van and Maruti
Suzuki, the informant, along with other police personnel,
reached at village Sahdullahpur, then, two vehicles were seen
coming in fast speed from Lalganj side. On giving the signal to
stop the vehicle, the driver tried to flee away, but, both were
stopped. From Magic van, three persons were apprehended,



who disclosed their name Jitendar Kumar (driver), Amlesh Kumar and Deepak Kumar. They disclosed that they had gone to Salempur for loading liquor along with Mukesh Rai (petitioner), who after loading the liquor moved from there. From car six persons were found, who disclosed their name Amit Kumar, Pawan Kumar, Rahul Kumar, Sanjeev Kumar, Vikram Kumar and Santosh Kumar. On search of van, 15 cartons, containing 360 bottles, each of 375 ml Indian made foreign liquor recovered.

Submission is that petitioner was not apprehended on spot, but, his name has come in the confessional statement of the co-accused, who were apprehended from the van, from which 360 bottles, each containing 375 ml Indian made foreign liquor recovered. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Lalganj P.S. Case No. 101 of 2019 shall 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 Additional Sessions Judge II-cum-Excise Court, Vaishali at Hajipur, or the successor Court subject to the



conditions as laid down under Section 438(2) Criminal
Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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