

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21668 of 2021**

Arising Out of PS. Case No.-325 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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Mukesh Kumar Das Son of Chatarbhuja Das Resident of Mohalla- Aghoriya
Bazar, Shanichara Asthan, P.S.- Kazimohammadpur, District- Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.
For the Opposite Party/s : APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 15-09-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for
grant of regular bail in a case registered under sections 414 and
34 of the Indian Penal Code and section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per the prosecution case, on information having
been received about there being liquor in two vehicles, a raid
was conducted by the police personnel and a total of 119 litres
of liquor was recovered. It is further stated that on enquiry, the
people present disclosed the name of 11 accused persons
including the petitioner herein who were dealing in liquor.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the



petitioner's possession. He has been falsely implicated in the case. He has neither any concern with the seized liquor nor with the two vehicles from which it was seized nor with the other accused. It is submitted that there is no material against the petitioner except the statement of some persons made before the police. The petitioner has no criminal antecedent and is in custody since 24.12.2020. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner having no criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Kaji Muhammadpur P.S. Case no. 325 of 2020 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 Act, Muzaffarpur.

(Partha Sarthy, J)

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