

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40255 of 2021**

Arising Out of PS. Case No.-79 Year-2021 Thana- FULKAHA District- Araria

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Mukesh Kumar Yadav @ Mukesh Yadav S/o Gajanand Yadav Resident of
Village- Koshikapur, Ward No. 07, P.S.- Fulkaha, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh
For the Opposite Party/s : Mr.Arun Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 07-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Fulkaha P.S. Case No. 79
of 2021 Special Case No. 515/2021, registered for the offence
punishable punishable under Section 30(a), 41(i) of the Bihar
Prohibition and Excise Act, 2016.

183 litres of Nepali liquor has been recovered from
sacks which is alleged to have been thrown by this petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is in custody
since 31.05.2021. Investigation is complete.

Considering the period of custody, the petitioner
above-named, is directed to be enlarged 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 2nd Additinal Sessions Judge-cum-Special Judge, Araria in connection with Fulkaha P.S. Case No. 79 of 2021 Special Case No. 515/2021, 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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