

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40499 of 2021**

Arising Out of PS. Case No.-58 Year-2020 Thana- SAHEBPUR KAMAL District- Begusarai

Mukesh Kumar @ Mukesh Yadav Son of Late Satto @ Sattya Narayan Prasad
Yadav Resident of Village - Raghunathpur, P.S.- S.Kamal, Distt.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hare Krishna Prasad

For the Opposite Party/s : Mr.Abhay Kumar, APP

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

2 08-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in S. Kamal P.S. Case No. 58 of 2020, registered for the offence punishable punishable under Sections 120(b), 224, 414, 34 of the Indian Penal Code and sections 30(a), 32, 27 and 41(i) of the Bihar Prohibition and Excise Act, 2016.

47 litres of foreign liquor has been recovered from the house of this petitioner.

It is submitted that no recovery has been made from conscious possession of this petitioner. Recovery has been made from the house which is in joint possession of the family. Petitioner is in custody since 04.06.2021. 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 Additional Sessions Judge II-cum-Special Judge Excise Act, Begusarai in connection with S. Kamal P.S. Case No. 58 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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