

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36877 of 2020

Arising Out of PS. Case No.-219 Year-2018 Thana- KALYANPUR District- Samastipur

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MUKESH KUMAR Son of Madan Gupta Resident of Village- Rampura
Gopalpur, P.S.- Kalyanpur, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner is in custody since 05.09.2020 in connection with Kalyanpur P.S. Case No. 219 of 2018 for the alleged offences under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 921.40 litres of foreign liquor from a tractor, a scorio vehicle and from four motorcycles. It is submitted however that the recovery from the petitioner's motorcycle bearing Registration No. BR 33U 4340 was only 48 bottles of 180 ml each, totalling 8.640 litres. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of



custody already suffered since 05.09.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Samastipur in connection with Kalyanpur P.S. Case No. 219 of 2018, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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