

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39197 of 2020

Arising Out of PS. Case No.-248 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Mukesh Sah, S/o Bhulan Sah, Resident of Village- Dumari Pakri (Ismile),
P.S.- Sadar, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Advocate
For the Opposite Party/s : Ms. Meena Singh,APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-02-2021 Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sadar
P.S. Case No.248 of 2020 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

181.980 litres illicit liquor has allegedly been
recovered from the petitioner.

Counsel for the petitioner submits that the petitioner
has no criminal antecedents. The allegation is false and
fabricated, based on extraneous considerations. Recovery is
from a vehicle parked in an open place having general access.
The petitioner is in custody since 28.08.2020.

Learned APP for the State has opposed the prayer for



bail

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 court of Special Judge, Excise Act, Muzaffarpur, in connection with Sadar P.S. Case No.248 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel



would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

U		T	
---	--	---	--

