

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53797 of 2021

Arising Out of PS. Case No.-362 Year-2020 Thana- RUPASPUR District- Patna

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MUKESH KUMAR SON OF SHAILENDRA SHARMA @ PAPPU SINGH
R/O VILLAGE- MASAUDHA TELPA, P.O.- BIKRAM, P.S.- BIKRAM,
DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Rupaspur P.S.Case No. 362/2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 2224.930 liters of illicit liquor from a government shed situated in front of pillar no. 41 at Bailey Road, Patna.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case and he is languishing in custody since 9.7.2021. The learned counsel for the petitioner has further submitted that the name of the petitioner has transpired in the present case upon secret information received by the police regarding his complicity in the alleged occurrence.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has not been arrested from the spot and no illicit liquor has been recovered from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned Special Judge (Excise Act), Patna in connection with Rupaspur P.S.Case No. 362/2020.

(Mohit Kumar Shah, J)

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