

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22538 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- CHANAN District- Lakhisarai

Mukesh Ram, Son of Arjun Ram, Resident of Village - Kundar, P.S.- Chanan,
Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Chanan P.S. Case No. 14 of 2022, registered for the alleged offences under Section 30 (a) (b) (c) of the Bihar Prohibition and Excise Act.

Allegedly, 170 liters of country made *Mahua* liquor was recovered from 'Kundar' forest area apart from 2600 liters of raw material of *Jawa Mahua*, which was destroyed. Some articles used in manufacturing of liquor were also recovered. The petitioner and other co-accused persons are stated to have fled



away from the spot.

The learned counsel appearing on behalf of the petitioner submits that the petitioner was not arrested from the spot. Nothing incriminating has been recovered from his conscious possession. The charge sheet has been submitted in this case and the petitioner is in custody since 28.02.2022.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner has not been arrested from the spot and no recovery has been made from his possession and further considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-IV-cum-Special Excise Court-1st, Lakhisarai, in connection with Chanan P.S. Case No. 14 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.



(ii) One of the bailors will be Dinkar Kumar, brother of the petitioner, who has sworn the affidavit in this case.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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