

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35535 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

MUKESH KUMAR SON OF BRIJKISHOR RAI R/O VILLAGE- SADHA,
P.S.- CHAPRA MUFFASIL, DISTT.- SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2022 Heard Ms. Rajani Kumari, learned counsel for the
petitioner and Mr. Mohammad Sufyan, Additional Public
Prosecutor for the State *via* video conferencing.

Petitioner seeks regular bail in connection with
Chapra Muffasil PS Case No. 57/2021 registered for the offence
punishable under Sections 272, 273, 324, 353 of the IPC and
Sections 30(a), 45 of Bihar Prohibition & Excise Act 2016.

As per First Information Report, altogether 809 litres
of illicit liquor was recovered from the kiln of the co-accused
persons and the petitioner was arrested from the place of
occurrence.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case. She, referring to
the seizure list, further submits that illicit liquor has been



recovered from the premises of co-accused persons and the same has not been recovered from the conscious possession or from the premises belonging to the petitioner.

She next submits that petitioner is in custody since 26.12.2020 having no criminal antecedent and the charge-sheet in the matter has been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 26.12.2020 having no criminal antecedent and no illicit liquor has been recovered from the conscious possession or from the premises belonging to the petitioner and the charge-sheet has been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MUKESH KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Chapra Muffasil PS Case No. 57/2021.

(Anil Kumar Sinha, J)

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