

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25361 of 2022**

Arising Out of PS. Case No.-369 Year-2021 Thana- MAHUA District- Vaishali

Mukesh Kumar @ Mukesh Kumar Ray, Son Of Laxman Rai Resident Of
Village - Mahua Singh Rai, P.S.- Mahua, Dist.- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pratima Kumari, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 10-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 2023.560 litre of liquor from a pick-up van.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that petitioner is neither the owner, nor the driver of the vehicle
and the petitioner came to be implicated because of his
antecedent by the Excise Control Cell.



Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Mahua P. S. Case No.369 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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