

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41313 of 2021

Arising Out of PS. Case No.-112 Year-2021 Thana- PHULWARIYA District- Gopalganj

MUKESH KUMAR S/o Devsharan Ray R/o Village- Bairiya, P.S.- Gopalpur,
District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajeev Kumar

For the Opposite Party : Ms. Rita Verma

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 06-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Phulwariya P.S. Case No. 112 of 2021, registered for the offence
punishable under Section 420/34 of the Indian Penal Code,
Section 30(a) of Bihar Prohibition and Excise Amendment Act,
2018 and Sections 182(A), (4)/177/179 of the M.V. Act.

Allegedly, from a pick-up van, which was being
driven by the petitioner, 438.56 liters of Indian Made Foreign
Liquor was recovered.

Learned counsel appearing on behalf of the
petitioner has submitted that the illicit liquor was being carried
at the instance of the owner of the vehicle and the petitioner was



merely driving the vehicle. The said submission, however, is not convincing to this Court.

Be that as it may, since the petitioner is in custody since 12.04.2021 and there is no likelihood of early conclusion of the trial, this application is allowed.

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 2nd Additional Sessions Judge, Gopalganj, in Phulwariya P.S. Case No. 112 of 2021.

(Chakradhari Sharan Singh, J)

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