

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33964 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- KUDHNI District- Muzaffarpur

Mukesh Kumar @ Munna Kumar Son Of Dashrath Singh @ Dashrath Prasad
Singh Resident Of Kisanpur Balaur, P.S.- Kudhani, District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act and sections 414/34 of the IPC.

As per the prosecution case, 1.620 liters illicit liquor was recovered from a motorcycle of which petitioner is the registered owner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. At the relevant time, vehicle in question was being used by some other person without petitioner's knowledge and consent. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Petitioner has got no



criminal antecedent.

Learned counsel for the State submits that the recovery of illegal liquor has been made from the motorcycle of which petitioner is the registered owner, as such, he cannot escape responsibility.

Considering the nature of the allegation, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without being prejudiced by this order.

(Prabhat Kumar Singh, J)

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