

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43821 of 2021

Arising Out of PS. Case No.-110 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

=====

MUKESH KUMAR @ MUKESH YADAV Son of Late Balak Yadav Resident
of Village- Ishari Colony, P.S.- Mufasil, District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State, Sri Damodar Prasad Tiwary.

The petitioner seeks regular bail in connection with Muffasil P.S. Case No. 110 of 2021, registered for the offence punishable under Sections 30(a), (d), 41 and 52 of the Bihar Prohibition and Excise Act, 2018.



The allegation is regarding recovery of 5 liters of illicit country made mahua liquor, gas cylinder, empty gallon, raw material for preparing country made liquor etc. from an open field.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 23.4.2021. The learned counsel for the petitioner has further submitted that neither the illicit liquor nor the field in question belongs to the petitioner and the petitioner has been falsely implicated in the present case merely on suspicion.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the field from where the illicit liquor etc. has



been recovered does not belong to the petitioner, apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since a long time, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Session Judge II, cum Special Judge, Excise, Nawada in connection with Mufasil P.S. Case No. 110 of 2021.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

