

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45924 of 2021

Arising Out of PS. Case No.-132 Year-2021 Thana- DARIYAPUR District- Saran

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MUKESH RAI @ MUKESH PRASAD RAI S/o MAHESH RAI R/o
VILLAGE-SHAHPUR PAHLEZA, P.S-SONPUR, DISTRICT-SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 413, 414 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on information having been received that accused Mukhiya Rai has kept stolen motorcycle in a field, a raid was conducted and he was taken into custody. One motorcycle was recovered for which he did not produce any papers. On his disclosure the name of the coaccused Kartik Kumar and the petitioner transpired. It is stated that on disclosure of Mukhiya Rai, house of Sonalika Kumar was raided from where motorcycle etc. was recovered.



30 litres of liquor was recovered from the house of Govind Rai.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. His name transpired in the confessional statement of a coaccused made before the police. No incriminating article has been recovered from his possession. He is in custody since 20.3.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over 10 months and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Dariyapur. P.S. Case no. 132 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Saran.

(Partha Sarthy, J)

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