

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 49097 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- HATHAURI District- Muzaffarpur

Mukesh Kumar @ Chhotu Sah, aged about 34 years, Male Son of Anandi Sah, Resident of village- Dakrama, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 15-02-2022 Heard the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Hathauri P.S. Case No. 69 of 2021 instituted for the offences punishable under Sections 30 (a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that neither the field belongs to the petitioner nor the liquor was found in his possession and his name has been included on the basis of enmity.

I have considered the submission, *prima facie* Section 30(a) of the Act has not yet been made out, I am inclined to allow the petitioner on bail, in the event of arrest he shall be released on anticipatory bail, subject to the conditions

as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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