

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49203 of 2021**

Arising Out of PS. Case No.-171 Year-2017 Thana- MANIYARI District- Muzaffarpur

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MUKESH KUMAR @ MUKESH RAY S/o Lakhendra Ray Resident of
Village - Mahamadpur Balmi, P.S. - Motipur, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Adv.

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 18-02-2022 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 section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on search of a truck being driven by one Manoj Yadav it is stated that 942 litres of liquor was recovered and the said Manoj Yadav disclosed that the truck had been handed over to him by the petitioner.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. The only material against him is the statement of a coaccused made before the police. Even the said Manoj Yadav has been



enlarged on bail. The petitioner is in custody since 28.6.2021 and has no criminal antecedent.

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 not having any criminal antecedent and having remained in custody for over 7 months, the Court directs the petitioner to be enlarged on bail in connection with Maniyari P.S. Case no. 171 of 2017 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 Special Judge Excise, Muzaffarpur.

(Partha Sarthy, J)

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