

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53398 of 2021

Arising Out of PS. Case No.-318 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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MUKESH KUMAR S/O Late Abhiram Sharma R/O Village - Malipur Pakari,
Ward No. - 15, P.S. - Nagar Sitamarhi, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with C2
Case No. 318 / 2021 registered under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

A total quantity of 66 liters of illicit liquor has been
recovered from the house cum shop of the petitioner.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged. He next submits
that at the time of search and seizure procedures prescribed
under the Cr.P.C. and the Excise Act have not been followed by
Excise Officials. The petitioner is in custody since 8-7-2021,
charge sheet has already been submitted and there is no



likelihood that petitioner will abscond or tamper with the evidence if released on bail.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 8-7-2021 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge Excise Act Sitamarhi in connection with C2 Case No. 318 / 2021.

(Anil Kumar Sinha, J)

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