

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49977 of 2022

Arising Out of PS. Case No.-143 Year-2020 Thana- LAUKAHI District- Madhubani

MUKESH KUMAR @ LALAN PASWAN SON OF RAJENDRA PASWAN
R/O VILLAGE- KARIAUT, P.S.- LAUKHI, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar, Advocate
For the Opposite Party/s	:	Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-09-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Laukhi P.S. Case No. 143 of 2020 registered for the offence under Sections 272/273/414/34 of the Indian Penal Code and Section 30(a) /41 of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 28.06.2022.

The allegation against the petitioner is to be engaged in illegal trade of illicit liquor, where, there is recovery of 720 litres of illicit liquor.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of con-



fessional statement of co-accused, namely, Deo Kumar Sah, where nothing incriminating surfaced/recovered during course of investigation, which may connect this petitioner with the present set of recovery of illicit liquor/stolen motorcycle. It is also submitted that petitioner is a man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no recovery of illicit liquor appears to be made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Laukhi P.S. Case No. 143 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Court of Excise Act, Jhanjharpur (Madhubani)/ concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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