

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61814 of 2021

Arising Out of PS. Case No.-53 Year-2021 Thana- SONBERSA District- Saharsa

MUKESH KUMAR Son of Kari Yadav Resident of Village - Naulakhiya, P.S.
and Distt.- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Special Case No. 260 of 2021 arising out of Sonbarsa Raj P.S.
Case No. 53 of 2021 instituted for the offences under Sections
272, 273/34 of the Indian Penal Code read with Sections 30(a)
and 41(i) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 19.04.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of 1503 litre of liquor from a
truck on which the petitioner along with other named accused
persons were sitting.



Learned counsel for the petitioner submits that petitioner has no concern with the truck neither he is owner nor the driver nor the cleaner of the truck nor he has any link with the liquor. Petitioner was merely a passenger who had taken lift on the truck and came to be implicated without knowing what was being carried in the truck.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)-cum-Additional District Judge-II, Saharsa in connection with Special Case No. 260 of 2021 arising out of Sonbarsa Raj P.S. Case No. 53 of 2021.

(Satyavrat Verma, J)

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