

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.63996 of 2021

Arising Out of PS. Case No.-320 Year-2020 Thana- KOTWA District- East Champaran

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MUKESH SINGH @ MUKESH KUMAR SINGH Son of Sri Virbahadur
Singh Resident of Village- Narulaha, Post Bhatauliya, P.S.- Sangrampur,
District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushlendra

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 27-01-2022 Heard the learned counsel for the petitioner

and the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Kotwa P.S. Case No. 320 of
2020 instituted for the offences under Sections 272 and
273/34 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise (Amendment), Act, 2018.

Though 7000 litres of liquor is said to have been



recovered from a brick kiln but so far as the accusation against the petitioner is concerned, it is based on stray information that the petitioner is a part of a syndicate which indulges in sale of liquor in an unauthorized manner.

The learned counsel for the petitioner has submitted that the accusation is based on absolutely no evidence and is the guess-work of the local police.

The petitioner does not have criminal antecedents.

On these premises, it has been urged that the offence under the Excise Act cannot be said to have been made out against the petitioner.

For the reasons afore-stated, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge (Excise), East



Champaran, Motihari, in connection with Kotwa P.S. Case
No. 320 of 2020, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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