

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54506 of 2022

Arising Out of PS. Case No.-147 Year-2022 Thana- KARJA District- Muzaffarpur

MUKES RAI @ MUKESH KUMAR S/o Birbal Rai Resident of Village-
Jhakhra Shekh, P.S.- Karja, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 2.160 litres of liquor from a Swift Dezire Car, further one country-made pistol and four live cartridges were recovered from Lalbabu Sahani along with one loaded magazine with two live cartridges from another Lalabu Sahani, it is next alleged that 1.125 litres of liquor was found behind the house of Vipin Kumar.



Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is also submitted that petitioner came to be implicated in the confessional statement of Lalbabu Sahani, it is next submitted that petitioner is neither the owner nor the driver of any of the alleged car from which the liquor was recovered, it is next submitted that at the cost of repetition that petitioner is a person with clean antecedent.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Karja P.S. Case No. 147 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



One of the bailors shall be the father of the
petitioner ‘Birbal Rai’.

(Satyavrat Verma, J)

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