

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66931 of 2021

Arising Out of PS. Case No.-689 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Mukesh Kumar @ Mukesh Sahani, Son of Sundar Sahni @ Shyam Sundar Sahni, Resident of Mohalla- Sikandarpur, Mukti Dham, Ward No.13, P.S.- Town (O.P. Sikandarpur), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-06-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Town P.S. Case No.689 of 2021 (Sikandarpur O.P.) registered for the offence punishable under Section 272/273/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

Two gallons of 20 litres each country made liquor has been recovered from a cycle. The petitioner was holding the handle of the cycle and co-accused Vikash Kumar was pushing the same.

Counsel for the petitioner submits that the petitioner is having no antecedents has remained in custody since 12.09.2021.



Submission is of false implication and that seizure is not in accordance with law as also that the investigation is now complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the quantum of recovery, fair antecedents, period of custody as also the fact that the investigation is complete, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur, in connection with Town P.S. Case No.689 of 2021 (Sikandarpur O.P.), subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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