

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71783 of 2021**

Arising Out of PS. Case No.-354 Year-2021 Thana- VAISHALI District- Vaishali

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MUKESH KUMAR Son of Chandeshwar Thakur Resident of Village -
Jatkauli, P.S.- Vaishali, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Vaishali
P.S. Case No. 354 of 2021 instituted for the offences under
Sections 272, 273, 413 and 414 of the Indian Penal Code read
with Sections 30(a) and 41(i) of the Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 20.09.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
allegation is of total recovery of 483.750 litres of liquor, out of
which 405 litres of liquor was recovered from a truck and rest
was recovered from a motorcycle and an Alto car.

Learned counsel for the petitioner submits that the



petitioner was not arrested from the spot and his name came in the confessional statement co-accused, Shashi Kumar which has no evidentiary value.

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

Considering the fact that the petitioner is in custody since 20.09.2021, is a person with clean antecedent, charge-sheet has been submitted in the case, his name came in the confessional statement of co-accused and was not arrested from the spot, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 354 of 2021.

(Satyavrat Verma, J)

Rishi/-

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