

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5887 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- BHADAUR District- Patna

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MUKESH KUMAR Son of Arun Yadav Resident of Village- Astabal, P.S.-
Ghoshwari, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Mishra

For the Opposite Party/s : Mr.Abhay Kumar Roy

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Bhadaur P.S. Case No. 78 of 2022, registered for the offences punishable under Sections 37 of the Bihar Excise Prohibition Act and under Section 25 (1-b)a/26 and 27 of Arms Act.

As per allegation, smell of wine was emanating from the mouth of the petitioner and also a pistol and empty cartridges were recovered from his possession.

Learned counsel for the petitioner has submitted that the petitioner is a person of clean antecedent and he is under custody since 23.07.2022.

Considering the above-mentioned facts and circumstances, especially, the clean antecedent, let the petitioner,



above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Barh, Patna in connection with Bhadaur P.S. Case No. 78 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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