

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12582 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- KIUL District- Lakhisarai

Mukesh Yadav Son Of Lalan Yadav Resident Of Village- Jhinaura, P.S.-
Tetarhat, District- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Bilochan

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 8 litres of country made liquor from a motorcycle bearing Registration No. BR-53D-0648.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent he has falsely been implicated in the present case due to high handedness of police. He has no concern either with the alleged recovery or with the motorcycle in question. There is no independent witness of the alleged seizure. Nothing



incriminating has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 19.11.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, period under custody as well as meagre quantity of liquor has been recovered, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge V-cum-Exclusive Special Court II, Excise Act, Lakhisarai in connection with Kiul P.S. Case No. 161 of 2022.

(Sunil Kumar Panwar, J)

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