

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.11254 of 2023**

Arising Out of PS. Case No.-654 Year-2022 Thana- SAMASTIPUR MUFFASIL District-  
Samastipur

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Mukesh Kumar Son Of Late Ramnarayan Ray Resident Of Village - Jitwarpur  
Nizamat, P.S.- Samastipur Muffasil, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
ORAL ORDER

2      21-04-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner prayed for regular bail in  
connection with Samastipur Muffasil P.S. Case no. 654 of  
2022 instituted for the offence under Sections 30(a) of the  
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 285.810  
liter foreign made liquor from the house of the petitioner.

Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner is innocent and has  
committed no offence. He has falsely been implicated in  
this present case merely on the basis of suspicion. Petitioner



has no concern with the alleged recovery or with the place of occurrence because he lives in joint family. No any incriminating article has been recovered from his conscious possession and seizure list has also not been prepared as per provision of u/s 100 of the Cr.P.C. The petitioner is languishing in judicial custody since 27.12.2022.

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

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Samastipur Muffasil P.S. Case No. 654 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court-I, Samastipur.

The bail bonds of the petitioner shall be accepted



by the learned court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the account of the concerned DLSA.

**(Sunil Kumar Panwar, J)**

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