

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19483 of 2023**

Arising Out of PS. Case No.-127 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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MUKESH KUMAR Son of Ramballi Rai @ Rambali Roy Resident of
village-Bhagwanpur Desua, P.S. Ujiarpur, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Shyam Bihari Singh

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

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 420, 467,
468, 471, 120B of the Indian Penal Code and Sections 30(a), 32,
36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 3605
liters of illicit liquor from a truck bearing Registration no.
BR10G-5742 and the petitioner is alleged to be arrested on spot
by the police.

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. A



statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is neither owner nor driver of the seized vehicle and he has also no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 4.2.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Samstipur (Muffasil) P.S. Case No. 127 of 2023 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 Judge-I, Samstipur.

(Sunil Kumar Panwar, J)

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