

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25343 of 2023

Arising Out of PS. Case No.-738 Year-2022 Thana- MASAUDHI District- Patna

Mukesh Kumar S/O Sivrat Yadav R/O Village- Badaroi, Ghorahuwan, P.S-
Masaudhi, Distt.- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Masaudhi P.S. Case No. 738 of 2022 dated 04.11.2022
registered for the offences punishable under Section 414 of the
Indian Penal Code and Section 30(a) of Bihar Prohibition and
Excise Act.

3. The main submissions advanced by learned
counsel for the petitioner are that the instant matter relates to the
recovery of 120 litres of *country made illicit liquor (Mahua)* and
the same is stated to have been recovered from two cars and one
motorcycle and as per allegation, two co-accused persons
namely Randhir Kumar and Indrajeet Kumar were arrested at
the spot of recovery and the said co-accused persons have been



granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 72625/2022 and the name of this petitioner was disclosed by the said arrested co-accused persons and except this, there is no other material to connect this petitioner to the alleged recovery of liquor and he is neither arrested from the spot of recovery nor the alleged liquor was recovered from his possession. Further submissions are that the petitioner was remanded in the present matter about two months and twenty days after the alleged recovery of liquor mainly on the basis of confessional statements of co-accused persons named-above and against the petitioner, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the completion of the investigation against this petitioner and also the facts that the petitioner was not apprehended at the spot of recovery and his name was disclosed by the apprehended co-accused persons named-above, who are on bail, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like



amount each to the satisfaction of the Court concerned in
connection with Masaudhi P.S. Case No. 738 of 2022.

(Shailendra Singh, J)

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