

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35062 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- BHIMPUR District- Supaul

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MUKESH KUMAR @ MUKESH KUMAR YADAV Son of Ramnarayan
Yadav Resident of village - Madhura, West, Ward no. 01, P.S. - Fulkaha, Distt.
- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with S.T. Case No. 408 of 2023

arising out of Bhimpur P.S. Case No. 40 of 2023 dated

05.04.2023 registered for the offences punishable u/s 30(a) of

the Bihar Prohibition and Excise Act.

As per the prosecution case, total 108 litres of Nepali

liquor was recovered from the motorcycle of the petitioner.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has submitted that the petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.04.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with S.T. Case No. 408 of 2023 arising out of Bhimpur P.S. Case No. 40 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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