

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49538 of 2023

Arising Out of PS. Case No.-402 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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Mukesh Kumar @ Mukesh Yadav, Son Of Umesh Yadav @ Umesh Kumar
Yadva Resident Of Village- Chikani Fulkaha Ward No 03, Ps- Gamharia,
Dist- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 31-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of three cases and the allegation is
of recovery of 180 litres of codeine cough syrup from a Tata
pick-up van.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated by nearby people, but then, F.I.R. does not disclose



the name of the person, who disclosed the name of the petitioner. It is next submitted that petitioner is not the owner of the seized vehicle.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VIIth-cum-Special Judge, Excise-II, Madhepura in connection with Madhepura Excise P. S. Case No.402 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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