

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57730 of 2023

Arising Out of PS. Case No.-108 Year-2020 Thana- TISIAUTA District- Vaishali

Mukesh Ray S/O Late Lal Kishor Ray R/O Village- Bhadwas, Ps. Mahua,
Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner apprehends his arrest in connection with Tisiauta P.S.Case No.108 of 2020 instituted under Section 414 of the Indian Penal Code and section 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 193.500 liters foreign liquor was recovered from a car and 2834.64 liters recovered from a truck. Allegation against the petitioner is that he along with other co-accused persons had fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this



case. The petitioner has no concern with the seized liquor or the vehicles and he was not present at the place of occurrence. Nothing incriminating material has been recovered from conscious possession of the petitioner and he has clean antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II cum- Session Judge, Vaishali at Hajipur, in connection with Tisiauta P.S.Case No. 108 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

N.K/-

(Sunil Dutta Mishra, J)

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