

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58250 of 2023

Arising Out of PS. Case No.-52 Year-2022 Thana- MANIYARI District- Muzaffarpur

Mukesh Chaudhary @ Mukesh Da @ Mukesh Kumar Chaudhary S/O Gauri
Shankar Chaudhary R/O Village- 40 Dolaigaon, P.S- Bongaigaon, Distt.-
Bongaigaon, Assam.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-09-2023 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.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Maniyari P.S. Case No. 52 of 2022 dated 14.02.2022 registered for the offences punishable u/ss 420, 467, 468, 471 and 120B read with section 34 of the Indian Penal Code and sections 30(a), 36, 41(I) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 1916.250 litres of illicit foreign liquor was recovered from a truck and three persons were apprehended and on search mobile phones and other documents



were recovered from their possessions.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner was not apprehended on the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was neither the driver nor the owner of the said vehicle. The petitioner is also accused in one more criminal case of similar nature as stated in para 3 of the bail petition. The petitioner is in custody since 25.07.2023.

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

7. 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, Muzaffarpur in connection with Maniyari P.S. Case No. 52 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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