

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70167 of 2023

Arising Out of PS. Case No.-883 Year-2023 Thana- GAYA MUFASIL District- Gaya

Mukesh Kumar @ Aman Kumar Son Of Jagdish Yadav @ Jagdish Prasad
Yadav Resident Of Village - Bahsa Pipra, Police Station - Fatehpur, District -
Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
total 139.575 liters of illegal foreign liquor from a Tempo.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
He submitted that the petitioner has no concern either with the
seized vehicle or with the wine in question. He submitted that
one co-accused namely, Pintu Kumar, who apprehended on spot



and on his confessional statement the name of the petitioner has come into light, which has got no evidentiary value in the eyes of law. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 21.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Gaya in connection with Gaya Muffasil P.S. Case No. 883 of 2023.

(Sunil Kumar Panwar, J)

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