

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40014 of 2024

Arising Out of PS. Case No.-211 Year-2022 Thana- MAHNAR District- Vaishali

Mukesh Kumar @ Mukesh Kumar Singh S/O Raghubansh Prasad Singh R/O
Village-Kala Pahar, P.S- Jandaha, District-Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satyendra Prasad Singh, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Mahnar P.S. Case No. 211 of 2022 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act. He has no criminal antecedent as stated in paragraph '3' of the application.

3. The allegation against the petitioner is to have in possession of 375.3 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that aforesaid recovery of illicit liquor



appears to be made from the cowshed, which is an open place and belongs to one co-accused Amarjeet Ray. Learned counsel further submitted that name of this petitioner appears to be surfaced in the present case only on the basis of information given by police spy. While concluding argument, learned counsel submitted that petitioner is a man of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions as implication of this petitioner appears *prima-facie* out of suspicion only where recovery of illicit liquor appears recovered from the cowshed of the co-accused person, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Prohibition and Excise Court (Second)-cum-Additional District and Sessions Judge, Hajipur, Vaishali, in connection



with Mahnar P.S. Case No. 211 of 2022, subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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