

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42704 of 2024

Arising Out of PS. Case No.-587 Year-2023 Thana- AKBARPUR District- Nawada

Mukesh Rajbanshi Son of Jay Ram Rajbanshi R/O Vill.- Shrirampur, P.S.- Akbarpur, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Akbarpur P.S. Case No. 587 of 2023 dated 31.12.2023 registered for the offences punishable u/s 30(a)/ c of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 10 litres of country made liquor, 200 litres of Jawa Mahua and other articles were recovered from the *Aahar*.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced from the disclosure statement of the *local chaukidar*. The recovery has been made from an open place which is accessible to anyone. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has four antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 15.04.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and 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, Nawada in connection with Akbarpur P.S. Case No. 587 of 2023 with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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