

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49745 of 2024

Arising Out of PS. Case No.-571 Year-2020 Thana- CHAPRA TOWN District- Saran

Mukesh Rai Son of Jagdish Rai R/o Village- East Dahiyawan, P.S.- Chapra
Town, District- Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Gulnar Begum

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 23-07-2024 Heard learned counsel for the petitioner as well as learned
APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Chapra Town P.S. Case No. 571 of 2020, registered for the offences punishable under Sections 30(a)/41(i)(ii) of Bihar Prohibition and Excise Act.

3. As per allegation, the informant along with other police personnel was in patrolling duty, they reached at Rupganj Adda and saw four persons behind Bhim Mahto's house, who fled upon seeing the police. The police recovered 120 litres of illegal Mahua liquor from the place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. The petitioner was not apprehended from the place of occurrence and



nothing has been recovered from the conscious possession of the petitioner or from his house. The petitioner is under custody since 24.05.2024.

5. On the other hand, learned APP has opposed the prayer for bail and submitted that the petitioner has criminal antecedent of two cases of similar nature.

6. Considering the above-mentioned facts and circumstances, the petitioner, above-named, is directed to furnish bail bond **after two months from today** and on doing so, the court below shall release the petitioner on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Saran at Chapra in connection with Chapra P.S. Case No. 571 of 2020, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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