

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52808 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- PANCHRUKHI District- Siwan

Mahesh Kumar @ Mahesh Pandey S/O Panchdeo Pandey @ Panchdew R/O
Village- Sargatiya Khan Patti, P.S- Sivrahi/Sevrahi, Distt.- Kushinagar, Uttar
Pradesh.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Adv
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

2 23-07-2024 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 Pachrukhi (Sarai) P.S. Case No. 207 of 2024 dated 02.06.2024 registered for the offences punishable u/s 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1033.380 litres of illicit foreign liquor was recovered from the *Pick-up van*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle but the same was being driven by him at the time of the alleged



recovery. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.06.2024.

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, Siwan in connection with Pachrukhi (Sarai) P.S. Case No. 207 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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