

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55989 of 2024

Arising Out of PS. Case No.-2 Year-2021 Thana- Excise P.S. District- Madhepura

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Mukesh Kumar Son Of Jaynarayan Yadav @ Jai Narain Yadav Resident Of
Village - Baluaha, Ward No. 8, Gram Panchayat - Bhatrandha, P.S. -
Ghailardh (Parmanandpur O.P.), District - Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Jha

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Madhepura Excise P.S. Case no. 02/2021 instituted for the
offence under Section 30(a) of the Indian Penal Code.

It is a case of recovery of 882 liters of illicit foreign
liquor from a vehicle. Co-accused Kamlesh Kumar is said to
have been apprehended on spot who disclosed the name of the
petitioner as his associate.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. It is also submitted



vide para-9 of the petition that the arrested co-accused Kamlesh Kumar disclosed the name of his associate as Mukesh Kumar Resident of Bishanpura whereas, this petitioner Mukesh Kumar is a resident of Baluaha. Nothing has been recovered from his conscious possession. It is further submitted that the petitioner has got no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Madhepura Excise P.S. Case no. 02 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII-Cum-Special Judge, Excise-II, Madhepura subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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