

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71743 of 2024

Arising Out of PS. Case No.-127 Year-2021 Thana- GOPALPUR District- Gopalganj

Mukesh Singh @ Mukesh Kumar Singh Son of Raghav Singh R/O Village-
Ahiyapur P.S.- Gopalgpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rishi Sinha, Advocate

Mr. Danish Raj, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Gopalgpur P.S. Case No. 127 of 2021 dated 26.06.2024 instituted
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2018.

3. The allegation is of recovery of 31.600 litres Bunty-
Bubly country made liquor from a splendor bearing Registration
No. BR29E2796.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the petitioner has been made
accused in this case only on the basis of disclosure made by the
villagers who disclosed the name of the petitioner. The petitioner



is not the owner of the seized motorcycle. The petitioner has also no concern with the alleged recovered liquor and seized motorcycle. Lastly, it has been submitted that petitioner has one criminal cases against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Gopalpur P.S. Case No. 127 of 2021, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge IV, Special Judge Excise II at Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C., as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his



wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

