

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79951 of 2024

Arising Out of PS. Case No.-486 Year-2024 Thana- Excise P.S. District- Patna

Mukesh Kumar @ Mukesh Rai
... .. Petitioner/s
Versus
The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise Patna P.S. Case No. 486 of 2024 registered for the offences punishable under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act. .

3. The prosecution case, in short, is that 1200.750 litres of illicit liquor was recovered from the truck and the petitioner was apprehended on the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioner. The petitioner has no concern with



the alleged recovery of liquor. It is further submtited that the petitioner is the driver of the seized vehicle and he has no knowledge regarding the goods loaded in the vehicle. There is no compliance of Section 100 Cr.P.C. Other co-accused has been granted regular bail by this Court *vide* order dated 09.04.2024 in Cr. Misc. No. 27237 of 2024 and 27962 of 2024 respectively.

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

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Excise Patna P.S. Case No. 486 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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