

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84354 of 2024

Arising Out of PS. Case No.-954 Year-2024 Thana- ALAMGANJ District- Patna

Mukesh Yadav @ Mukesh Kumar S/O Subash Yadav Resident of Village-
Tempo Stand Gayghat, Police station- Alamganj, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Alamganj Police Station Case No. 954 of 2024, dated 23.10.2024, disclosing offence under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that huge quantity of illicit liquor has been kept in the house of one Paras Prasad, which was taken on rent by co-accused Rajesh Kumar, raided the said house and found the wife of co-accused Rajesh Kumar, and the police recovered 54 litres of illicit liquor from the house of co-accused Rajesh Kumar. The wife of co-accused Rajesh Kumar disclosed



that his husband and the petitioner used to sell the illicit liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by the wife of co-accused Rajesh Kumar. He further submits that illicit liquor has not been recovered from the premises belonging to the petitioner; rather, the same has been recovered from the tenanted premises of co-accused Rajesh Kumar. He further submits that petitioner has no concern with co-accused Rajesh Kumar and he is also having no criminal antecedents.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the name of the petitioner transpired in the present case on the disclosure made by the wife of co-accused Rajesh Kumar and the petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of



four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna City, in connection with Alamganj Police Station Case No. 954 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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