

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74714 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- KALYANPUR District- Samastipur

Mukesh Kumar @ Mukesh Thakur Son of Binay Thakur @ Naval Kishor Ray
Resident of Village - Chandauli, P.S. - Warisnagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioner is in custody in connection with Kalyanpur P.S Case No. 307 of 2023 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

3. As per prosecution case, total 6660 litre illicit liquor was recovered from the vehicle in question which were parked in the said go down and petitioner along with other apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that no incriminating articles has been recovered from



the conscious possession of the petitioner. It is next submitted that Co-accused has already granted bail by the Co-ordinate Bench of this Court *vide* order dated 12.01.2024 passed in Cr. Misc. No. 86701 of 2023 and in order dated 28.02.2024 passed in Cr. Misc. No. 8613 of 2024. It is also submitted that petitioner is in judicial custody since 11.09.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise 1st , Samastipur in connection with Kalyanpur P.S Case No. 307 of 2023.

(Ramesh Chand Malviya, J)

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