

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57721 of 2015

Arising Out of PS.Case No. -16 Year- 2013 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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1. Birendra Mukhiya S/o- Shankar Mukhiya, Resident of village- Rampur,
P.S.- Darpa, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey, Advocate.

For the Opposite Party/s : Mr. Smt. Gulnar Begam(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 25-01-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 47 (a) (f) of the Excise Act.

Allegedly, acting on a tip off the raid was conducted
and from the manufacturing centre of the petitioner 80 litres of
illicit country made mahua liquor and 400 kg. of Jaggery were
recovered.

Submission is of false implication and that the place
where the alleged recovery has been shown does not belong to the
petitioner but he is being implicated in one case after another
resulting he is suffering in custody since 20.09.2015. The

petitioner was not caught at the spot and he has been remanded in this case from another case.

The learned A.P.P. submits that the petitioner is indulged in preparing the illicit mahua liquor.

In the facts and circumstances as stated above, considering detention of the petitioner now he is directed to 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 C.J.M. Motihari, East Champaran in Excise Case No. 16 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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