

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4010 of 2017

Arising Out of PS.Case No. -211 Year- 2016 Thana -SINGHESHWARASHTHAN District-
MADHEPURA

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Bilash Mukhiya, S/o Nemani Mukhiya, Resident of Village-Godhiyari,
Tola-Basbitti, Ward no. 05, P.S. & District- Supaul. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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

ORAL ORDER

2 03-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Singheshwar P.S. Case No. 211 of 2016 registered for the offences
punishable under Sections 30(a) and 37 (b) of Bihar Excise
(Amendment) Act, 2016.

Allegedly, the petitioner was apprehended and from his
mouth smell of wine was coming and further beneath the driver
seat two bottles of Royal Stag containing 750 ml. and 375 ml.
liquor were recovered and further in Sprite bottle smell was
coming and then the petitioner stated that it is mahua wine which
was kept in Basukinath and he drank the same.

Submission is of false implication and that there is no
report that the petitioner has taken drink, without any fault he is



suffering in custody since 21.10.2016

Learned APP submits that considering the period of detention now lenient view can be taken.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Singheshwar P.S. Case No. 211 of 2016, 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.

avin/-

(Jitendra Mohan Sharma, J)

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