

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22185 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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Bijli Mukhiya Son of late Hawaldar Mukhiya, Resident of Village-
Thikanha Bankat, P.S. Pakarideyal, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 21-06-2017

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
09.03.2017 in connection with Pakarideyal P.S. Case No. 04 of
2017 registered for the offence punishable under Sections 30 and
36 of the Bihar Prohibition and Excise Act.

The prosecution case, as lodged by the police, is that
on the basis of secret tip-off, house of one Jairam Mukhiya was
raided and 10 litres of country made liquor with other items for
preparation of the said illegal liquor was recovered. On query, the
villagers stated that the petitioner along with co-accused Jairam
Mukhiya was indulged in preparation of illegal country made
liquor. Accordingly, seizure-list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, nothing has been recovered from his possession and recovery was made from the house of co-accused Jairam Mukhiya. He further submits that the petitioner has been dragged in the aforesaid case on the basis of the statement of the villagers because he has criminal antecedent for the same offence in which he has already been granted the privilege of bail.

However, learned A.P.P. for the State submits that the petitioner has been named by the villagers, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of learned 5th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Pakarideyal P.S. Case No. 04 of 2017, subject to the condition that petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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