

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.531 of 2017

Arising Out of PS.Case No. -423 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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SUBHASH MUKHIYA, Son of Gorakh Mukhiya, Resident of Village-
Harkaina, P.S.- Muffasil, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Manish Kumar 2, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody since
14.11.2016 in connection with Muffasil P.S. Case No. 423/16 for
offences punishable under Sections 272, 273 of the Indian Penal
Code and under Section 30(A) of the Excise Act.

The prosecution case, as lodged by the police
personnel, is that after receiving confidential information the
backyard of the house of the petitioner was raided and the
petitioner while trying to flee away was apprehended with 10 litres
of country-made wine in a bag, which the petitioner was carrying.

It has been submitted by the learned counsel for
the petitioner that he is innocent, bears no criminal history and a



false case has been instituted against him. He submits that he has no concern with the alleged seized articles.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Muffasil P.S. Case No. 423/16.

(Nilu Agrawal, J)

Rajesh/-

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