

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22760 of 2017

Arising Out of PS.Case No. -231 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

=====

Jhigan Mukhiya, Son of Chandrika Mukhiya, Resident of Village-
Harkaina P.S. Motihari Muffasil District East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Smt. Sahin Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 10-08-2017

Heard Sri Vijay Shankar Shrivastava, learned
counsel for the petitioner and Smt. Sahin Begam, learned Addl.
Public Prosecutor.

The sole petitioner, apprehending his arrest in
Excise Case no.231 of 2016 registered for the offence under
Section 47(a) (f) of the Excise Act, has prayed for grant of bail,
in the event of his arrest or surrender.

It was submitted by learned counsel for the
petitioner that a raid was conducted in number of houses and
by preparing of one seizure list, recovery of about 500 liters of
country made liquor as well as instruments were shown. He
submits that in the seizure list what the quantity of liquor was
recovered either from the possession of the petitioner or from



his house has not been shown. He submits that in this case nine persons have been made accused and out of nine, seven accused persons have already been extended the privilege of anticipatory bail. He has brought on record an order dated 18.11.2016 passed in Cr.Misc.No.47555 of 2016, whereby seven co-accused persons were extended the privilege of anticipatory bail.

Considering the fact that most of the accused persons have already been granted anticipatory bail as well as the fact that there is only seizure list showing seizure of 500 Liters of country made liquor from different places, there is no reason the deny the prayer for anticipatory bail to the petitioner. Accordingly, let the petitioner, namely, Jhigan Mukhiya, in the event of his arrest or surrender within six weeks from today, 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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Excise Case no.231 of 2016 , subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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