

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49243 of 2017

Arising Out of PS. Case No.-238 Year-2017 Thana- DHAKA District- East Champaran

Bipin Mukhiya s/o Late Bhadai Mukhiya Resident of Village- Bakhari
Khajuri, P.S.- Dhaka, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-10-2017 Heard Sri Pramod Kumar Pandey, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Dhaka P.S.
Case no.238 of 2017 registered for the offence under Section
120(B) of the Indian Penal Code and under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016, has prayed for grant of
bail, in the event of his arrest or surrender.

By way of referring to the seizure list, which is enclosure
of the F.I.R., learned counsel for the petitioner has argued that
the seizure list suggests that recovery of Nepali wine was shown
in a village-Bakhari Khajuri and nothing was indicated from
which place it was recovered. In the F.I.R., it has been
disclosed that on secret information, the police visited a hut,
allegedly of the petitioner, from where recovery of Nepali wine



was shown. Learned counsel for the petitioner has also drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent.

Considering the fact disclosed in the seizure list, which does not indicate as to whether any recovery was affected from the house of the petitioner as well as clean antecedent of the petitioner, let the petitioner, namely, Bipin Mukhiya, in the event of his arrest or surrender within a period of 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 Special Judge, Excise, East Champaran at Motihari in connection with Dhaka P.S. Case No.238 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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