

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3335 of 2018

Arising Out of PS. Case No.-446 Year-2017 Thana- SIKARPUR District- West Champaran

1. Sunil Mukhiya

2. Shankar Mukhiya

Both are sons of Kolai Mukhiya, Resident of village- Basantpur, P.S.- Sathi,
District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Mr. SUNIL KUMAR PANDEY

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seeks bail in a case instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

Prosecution case, in short, is that 40 liters wine is
recovered.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 24.10.2017 and have got no
criminal antecedent. Charge-sheet/prosecution report has been
submitted in this case. There is no allegation of tampering of
witnesses alleged against the petitioners. The informant is the
private party. Due to enmity, the names of the petitioners have



been implicated in the present case at the instance of the informant. The Police, at the instance of the informant, has falsely implicated the petitioners in the present case. It is alleged that 40 liters wine is recovered from the petitioners at the instance of the informant in collusion with the Police. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 446 of 2017.

(Sudhir Singh, J)

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