

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51045 of 2018

Arising Out of PS. Case No.-168 Year-2017 Thana- BITHAN BAZAR District- Samastipur

Amarjeet Mukhiya son of Late Nago Mukhiya resident of village Jagmohara
P.S. Bithan, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhubneshwar Prasad
For the Opposite Party/s : Smt. Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 20-08-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with Bithan
P.S. Case No. 168 of 2017 registered for the offence punishable
under Sections 272, 273 of the Indian Penal Code and Sections
30 (a) (d), 38(i)(ii) of Bihar Prohibition Excise Act, 2016.

60 lts. of java is said to have been recovered from
the house of the petitioner and he managed to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with the
seized article. The house of the petitioner is inhabited by his
several other family members and he had no knowledge of



keeping of aforesaid article in the house. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 20.07.2018. Similarly situated co-accused, namely, Daiyan Devi has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 07.08.2018 passed in Cr. Misc. no. 47954 of 2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, Excise Act, Samastipur in connection with Bithan P.S. Case No. 168 of 2017.

(Prakash Chandra Jaiswal, J)

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