

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27806 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- HARLAKHI District- Madhubani

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1. Jitu Mukhiya, S/o Late Gangai Mukhiya,
 2. Shiv Ratan Mukhiya S/o Upendra Mukhiya, resident of village- Barhi, P.S.- Harlakhi, District- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-05-2018 Heard Sri Gagandeo Yadav, learned counsel for the
petitioners and learned Addl. Public Prosecutor.

Two petitioners , who are in custody since 16.03.2018 in Harlakhi P.S. Case No.47 of 2018 registered for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act,2016, having clean antecedent, which fact has been stated in paragraph-3 of the petition, have prayed for grant of bail.

Learned counsel for the petitioners submits that nothing was recovered either from the conscious possession of the petitioners nor from the house of the petitioners and only they were arrested as if they were dealing in Nepali Saufi liquor. He submits that recovery of huge quantity to the tune of 240



Litre of Nepali Saufi wine was shown from the road side, opposite to the house of one Ram Charitar Yadav and petitioners were apprehended as if they were dealing in liquor.

Considering the nature of accusation, clean antecedent as well as period of custody, let both the petitioners, namely, (i) Jitu Mukhiya and (ii) Shiv Ratan Mukhiya 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 Addl. District & Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Harlakhi P.S. Case No.47 of 2018.

(Rakesh Kumar, J)

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