

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31243 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- BITHAN BAZAR District- Samastipur

Posan Mukhiya @ Chandra Shekhar Mukhiya @ Poshan Mukhiya, Son of
Jonpi Mukhiya, Resident of Village+P.O. +P.S. Bithan, District- Samastipur.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Bhuwaneshwar Prasad, Advocate.
For the State : Mr. A.M.P. Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-06-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bithan P.S. Case No.17 of 2018 registered under Sections
272 and 273 of the Indian Penal Code, 1860 besides Sections
30(a)/30(d) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of raid by the
informant being the Sub Inspector of Bithan Police Station, 10
kilograms Jawa, kept in a plastic container, was recovered from
the house of the petitioner, while the petitioner succeeded to flee
away.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and the house



from where the alleged recovery was made is the joint house in which the petitioner and his other family members reside. Moreover, the petitioner was not apprehended on the spot. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 3rd Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur, in connection with Bithan P.S. Case No.17 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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