

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.76188 of 2018**

Arising Out of PS. Case No.-231 Year-2018 Thana- BARAULI District- Gopalganj

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Mukhteshwar Singh @ Mukteshwar Singh, son of Late Satyadev Singh,  
resident of Village- Mahammadpur Nirmal Tola (Mahmmadpur Nilami),  
Police Station- Barauli (O.P. Madhopur), District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Sri Bharat Lal

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      21-12-2018                      Heard learned counsel for the petitioner and learned  
APP representing the State.

Petitioner is seeking anticipatory bail in connection  
with Barauli (Madhopur O.P.) P.S. Case No. 231 of 2018  
registered for the offences punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the  
alleged illicit liquor has been recovered from bush outside the  
house of the present petitioner. It is submitted that nothing has  
been recovered either from the possession or from the house of  
this petitioner, still the petitioner has been made accused in a  
case under the provisions of the Excise Act, 2016 only with an  
intention to harass him.



Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances where it is the submission of the petitioner that nothing was recovered from his possession or from his house, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge (Excise), Gopalganj in connection with Barauli (Madhopur O.P.) P.S. Case No. 231 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of three weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of his bail bond. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

**(Rajeev Ranjan Prasad, J)**

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