

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7706 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- SATHI District- West Champaran

Lalan Mukhiya, 60 years (M), Son of Birbahadur 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.Umesh Chandra Verma

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 05.10.2018 in a case registered for the offences punishable under Sections 272, 273, 413, 414, 467, 468, 471/34 of the Indian Penal Code and Sections 30(a), 30(b), 30(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on a secret information that 50-60 persons are manufacturing illicit liquor, a raid was laid when six persons were apprehended, who disclosed the name of the petitioner and other persons, whereupon, FIR was registered against 49 persons. The petitioner is one of the persons among 49 FIR named accused persons.

It is submitted by learned counsel for the petitioner



that there is no recovery from the petitioner and the persons who were arrested and the persons from whom the recovery has been made, have been granted bail by Co-ordinate Benches of this Court. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that on the confessional statement of the co-accused name of the petitioner sprang up.

Considering the fact that the prosecution case does not suggest recovery from the petitioner and the period under custody, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 Special Judge, Excise, West Champaran at Bettiah in connection with Sathi P.S. Case No. 138 of 2018.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

