

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10193 of 2019

Arising Out of PS. Case No.-275 Year-2018 Thana- TRIVENIGANJ District- Supaul

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Dip Narayan Mukhiya S/o Jago Mukhiya, village-Pipra Bazar, P.S-Pipra,
Distt.-Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Agreya Pratap, Advocate

For the Opposite Party/s : Mr.Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-02-2019 Heard both sides.

The petitioner apprehends his arrest in Triveniganj
P.S. Case No.275 of 2018 registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

The police got information that one Md. Ismail was
bringing liquor on a motorcycle. The police intercepted one
motorcycle but some motorcyclists fled away. One of the
motorcyclists was apprehended by police, who disclosed his
name as Anandi Mukhiya. The said Anandi Mukhiya disclosed
the name of petitioner who managed to flee away.

Learned counsel for the petitioner submits that the
partitioner is not the owner of the motorcycle. The recovery of
liquor was made from possession of Anandi Mukhiya. The
police did not get any secret information about the petitioner for



carrying liquor. Similarly situated co-accused Anandi Mukhiya has already been granted bail.

Having considered the facts aforesaid and the fact that the petitioner was neither apprehended on the spot nor recovery of liquor was made from possession of the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Additional Sessions Judge II-cum-Special Judge, Excise, Supaul in connection with S.T. Excise No.538 of 2018 arising out of Triveniganj P.S. Case No.275 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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