

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11352 of 2019

Arising Out of PS. Case No.-541 Year-2018 Thana- PUPRI District- Sitamarhi

1. Shri Mukhiya. Age 25 years, Gender-Male, Son of Sukeshwar Mukhiya Resident of Village - Parsauni Tola, P.S.- Pupari, Distt.- Sitamarhi.
2. Biltu Sahani, Age 26 years, Gender-Male, Son of Mahera Mukhiya Resident of Village - Parsauni Tola, P.S.- Pupari, Distt.- Sitamarhi.
3. Raghubar Mukhiya, Age 26 Years, Gender-Male, Son of Subba Mukhiya Resident of Village - Parsauni Tola, P.S.- Pupari, Distt.- Sitamarhi.
4. Palat Mukhiya, Age 26 Years, Gender-Male, Son of Late Mahesh Mukhiya Resident of Village - Parsauni Tola, P.S.- Pupari, Distt.- Sitamarhi.
5. Hardeo Sahni, Age-26 Years, Gender-Male, Son of Mathiyawala, Resident of Village - Parsauni Tola, P.S.- Pupari, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-02-2019 Heard learned counsel for the petitioners, no one appears on behalf of the State to oppose this application.

Petitioners are seeking anticipatory bail in connection with Pupari P.S. Case No. 541 of 2018 registered for the offences punishable under Sections 272, 273 and 290 of the Indian Penal Code and Section 30 (a), 37 (b) (c), 38 and 41 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that there is a recovery of 89 bottles of illicit liquor each containing 300



M.L but the recovery is not from the house of the petitioners rather it is from one sugarcane field which does not belong to these petitioners. It is further submitted that these petitioners have no criminal antecedent, however, they have been falsely implicated on the statement of one Jageshwar Mukhiya @ Kapleshwa Mukhiya from whose sugarcane field recovery has been made.

Considering the facts and circumstances of the case, whereunder, it is the submission of the petitioners that their names have transpired in the statement of Jageshwar Mukhiya @ Kapleshwa Mukhiya from whose sugarcane field recovery has been made and there is no other material to connect them with the present case. Let in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi in connection with Pupari P.S. Case No. 541 of 2018, subject to the condition that petitioners shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of



investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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