

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17317 of 2019**

Arising Out of PS. Case No.-153 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

=====

Sara Mukhiya, Son of Budhan Mukhiya, Resident of Village - Basantpur, PS-
Sathi, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ram Kishun Prasad
For the Opposite Party/s : Mr.Ansar Ul Haque

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 26-03-2019 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Excise Case No.153 of 2018, registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act, 2016.

The prosecution case, as per the written report of Suresh Prasad Choudhary is to the effect that on secret information that on a motorcycle, liquor is being transported, the informant along with other police personnel reached at Sawariya Chawk and intercepted a motorcycle, but on seeing the police party, the person who was driving the motorcycle fled away. Subsequently, from the motorcycle, 16 litres of country-made liquor were recovered.

It is submitted by learned counsel for the petitioner is that only on the basis of suspicion, the petitioner has been named in the FIR. It is further submitted that the petitioner has no concern either



with the alleged motorcycle or seized liquor.

Learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that the recovery has been made from the motorcycle and the name of the petitioner sprang up on the statement of people present at the place of recovery.

Considering the nature of accusation and petitioner has not apprehended from the place of recovery coupled with the fact that the petitioner is not having any criminal antecedent, the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate/Special Judge Excise, Bettia, West Champaran in connection with Excise Case No.153 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

sanjeev/-

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

