

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20986 of 2019

Arising Out of P.S. Case No.-20 Year-2019 Thana- PAKRIDAYAL District- East Champaran

SIYARAM MUKHIYA, aged about 45 years, Gender-Male, S/o Yogendra Mukhiya Resident of Village- Sishani, P.S.- Pakaridyal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adbvocate

For the Opposite Party/s : Mr.Ahtasham Ali Khan, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-04-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 28.01.2019 in connection with Pakaridyal P.S.Case No.20 of 2019 for the offence alleged under Sections 272 and 273 of the Indian Penal Code and Sections 30, 34 and 38 of the Bihar Prohibition of Excise Act, 2016.

The prosecution case as lodged by the police personnel is that on raid in the house of one Jayram Mukhiya, the petitioner was apprehended and from the house utensils for making the illicit liquor along with 30 liters of country made wine was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent, nothing has been recovered from his conscious possession and the petitioner is languishing in judicial custody since more than two months.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations, period of custody as well as the fact that the petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Pakaridyal P.S.Case No.20 of 2019 to the satisfaction of learned Special Judge Excise, Motihari, East Champaran.

(Nilu Agrawal, J)

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