

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24227 of 2019

Arising Out of PS. Case No.-463 Year-2018 Thana- KESARIA District- East Champaran

Bihari Mukhiya, aged about 40 years (Male) S/o Gopal Mukhiya R/o village-
Sundrapur, P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : MrsAsha Devi

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Kesariya P.S. Case No. 463 of 2018 registered for offences under sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Amendment Act, 2016.

As per allegation, 5 liter of country made illegal liquor has been recovered from the joint house of the petitioner.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent.

Looking to the quantity of liquor recovered, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from



today, 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 7th Additional District and Sessions Judge-cum-Special Judge, Excise, East Champaran at Motihari in connection with Kesariya P.S. Case No. 463 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioner and if it is found that the petitioner has clean antecedent, his bail bond will be accepted but, if it is found that the petitioner is involved in any other case before filing of the present case i.e. 12.4.2019, then he would not be released.

(Shivaji Pandey, J)

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