

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26135 of 2019

Arising Out of PS. Case No.-28 Year-2017 Thana- BITHAN BAZAR District- Samastipur

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Rajo Mukhiya @ Arjun Mukhiya, Son of Lakshmi Mukhiya, Resident of
Village- Belaun, P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bithan P.S. Case No. 28 of 2017 registered under Section
30(a) of the Bihar Excise Act, 2016.

The accusation is of recovery of a gallon containing
five litres country made liquor from the house of the petitioner.

Learned counsel for the petitioner submits that it
would appear from the F.I.R. that petitioner was not
apprehended at the spot. While it is alleged that a gallon of five
litres country made liquor was recovered from the house of the
petitioner but seizure list disclosed that signature of family
members of the petitioner has not been taken and petitioner has



no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur, in connection with Bithan P.S. Case No. 28 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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