

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79005 of 2018**

Arising Out of PS. Case No.-397 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.  
District- East Champaran

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Mukesh Bhagat S/o Late Ram Chandra Bhagat R/vill-Majuraha, P.S-  
Turkauliya, Distt.-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Adv.  
For the Opposite Party/s : Mr. Anil Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      25-02-2019                      This application, for grant of anticipatory bail, arises  
out of Excise Case No. 397 of 2018, disclosing offences under  
Sections 30(a) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 45.750 litres of liquor  
from the sugarcane field situated behind the house of the  
petitioner.

Submission of learned counsel for the petitioners that  
he has no criminal antecedent and has falsely been implicated in  
this case, which will appear from the fact that nothing has been  
recovered either from the house or from the conscious  
possession of the petitioner rather the recovery has been made  
from an open field.

Heard learned A.P.P. also.



Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned 7<sup>th</sup> Additional Sessions Judge cum Special Judge, Excise, Motihari, East Champaran, in connection with Excise Case No. 397 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Vinod Kumar Sinha, J)**

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