

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35581 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- BAJPATTI District- Sitamarhi

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YOGENDRA MUKHIYA S/o Lakhan Mukhiya Resident of Village-
Madhurapur, P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa, Advocate.

For the Opposite Party/s : Mr.Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-07-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Bajpatti P.S. Case No.79 of 2019**, instituted for the offence under Section(s) 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Counsel for the petitioner submits that entire recovery of 855 litres of foreign liquor has been made from the field of Ramchandra Prasad. Petitioner has been falsely implicated in the instant case. There is no recovery of any illicit liquor from conscious possession of the petitioner.

Petitioner is in custody since 23.4.2019.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed.



Let the petitioner above named, 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 ADJ-II-cum-Special Judge (Excise Act), Sitamarhi**, in connection with **Bajpatti P.S. Case No.79 of 2019**, subject to the condition that both the bailors will be the close relatives of the petitioner.

It is mentioned in paragraph-3 of the bail petition that one Excise case of Bajpatti P.S. Case No. 109 of 2016 is pending against the petitioner. **Petitioner will file affidavit at the time of furnishing bail bonds that he will not indulge in such type of activity in future, failing which, the bail bonds of the petitioner in the instant case will liable to be cancelled.**

(Sanjay Priya, J)

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