

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40065 of 2019

Arising Out of PS. Case No.-503 Year-2018 Thana- JAYNAGAR District- Madhubani

Rash Lal Mukhiya, Son of Raghunandan Mukhiya Resident of Village-
Korahiya, P.S.-Jaynagar, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr.Shaheen Begum, APP

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

ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Jainagar P.S. Case no. 503 of 2018, registered under
Section 272, 273 and 414/34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty
informant received secret information regarding selling of
liquor then informant along with other Police personnel
reached there then on seeing the Police personnel, some
persons started fleeing. At that time, one person was seen
keeping the sack, thereafter, he was apprehended, who
disclosed his name as Shailendra Yadav @ Fekan. On search of
the motorcycle, 150 bottles, each containing 300 ML India
made foreign liquor recovered and at that time one bicycle was
also recovered loaded with sack in which 150 bottles, each



containing 300 ML, 150 bottles, each containing 300 ML, and 450 bottles each containing 300 ML, and 165 bottles, each containing 300 ML total 319.05 liters of Nepali liquor recovered. The apprehended person disclosed the name of 10 person, including the petitioner, indulged in the illicit liquor business.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot, rather, his name has been surfaced on the confessional statement of co-accused, who has been apprehended with the alleged illicit liquor. The 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 four 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 Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jainagar P.S. Case No. 503 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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