

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58436 of 2019

Arising Out of PS. Case No.-223 Year-2019 Thana- BAIRIYA District- West Champaran

Sonelal Mukhiya @ Sonalal Mukhiya, Son of Amiraka Mukhiya, Resident of
Village - Bairia, P.S.- Bairia, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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

ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bairia P.S. Case No. 223 of 2019, registered under Section
30(a) of the Bihar Excise Act, 2016.

The accusation is of recovery of five litres Indian
made foreign liquor from the motorcycle, on which, two persons
were found sitting and they were apprehended. Both
apprehended persons disclosed their names as Buta Mahto and
Nand Lal Mahto and also disclosed that they had come there to
supply the aforesaid seized liquor to the petitioner.

Learned counsel for the petitioner submits that
petitioner has not been apprehended at the spot rather his name



has come in the confessional statement of Buta Mahto and Nand Lal Mahto, who were apprehended with the motorcycle at the spot with seized Indian made foreign liquor. Further submission is that 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 Special Judge, Excise, West Champaran, Bettiah, in connection with Bairia P.S. Case No. 223 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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