

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 65493 of 2019

Arising Out of PS. Case No.-411 Year-2019 Thana- JAYNAGAR District- Madhubani

MADAN MUKHIYA, Male, aged about 35 years, S/o Bikaru Mukhiya @ Bikau Mukhiya, R/o village- Idgah Tol Jaynagar, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30 (a) of Bihar Excise (Prohibition) Amendment Act, 2016.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner and has been made accused in this case only on suspicion and no such occurrence as alleged by the persecution ever take place. There is no compliance of Section 100 Cr.P.C.

Learned counsel for the petitioner further submits that the petitioner is in custody since 17.08.2019 and has got one similar



criminal antecedent of Jaynagar P.S. Case No. 55 of 2018 u/s 272, 273/34 of I.P.C. and Section 30 (a) of Excise Act. Charge sheet has been submitted in this case and the seizure list has also been prepared.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-II cum Special Judge (Excise Act), Madhubani, in connection with Jaynagar P.S. Case No. 411 of 2019 corresponding to G.R. Case No. 1490 of 2019.

(Anjani Kumar Sharan, J)

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