

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75539 of 2019

Arising Out of PS. Case No.-829 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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SURESH MUKHIYA, aged About 24 Years, (Male), Son of Late Shankar Mukhiya, Resident of Village-Vishunpur Tara, Madhuban, P.S.-Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mrs. Pushpa Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-11-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail registered for
the offences punishable under Sections 30(a) of the Bihar Excise
and Prohibition Act.

Allegation against petitioner is recovery of 174
bottles of Nepali Saoufi wine each 300 ml. total 52.200 liters
from his possession while he was coming from his motorcycle
from Nepal to India.

It has been submitted on behalf of the petitioner
that nothing was recovered from the possession of the petitioner
and he was arrested only on the basis of suspicion. He has no
criminal antecedent and is in custody since 05.09.2019.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), East Champaran, Motihari, in connection with Excise P.S. Case No. 829 of 2019, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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