

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2232 of 2020

Arising Out of PS. Case No.-79 Year-2019 Thana- SINGHIYA District- Samastipur

VIKASH MUKHIYA @ VIKASH KUMAR MUKHIYA @ VIKASH RAJ,
Son of Kapil Mukhiya, Resident of Village- Jibudihuli, P.S.- Singhiya,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 100.140 litres wine from a vehicle which was being boarded by four persons, however, they managed to flee away after seeing the police party.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case on the basis of statement of Chawkidar. Nothing has been recovered from the possession of the petitioner nor he was arrested at the place of occurrence. Petitioner has no criminal antecedent and is in custody since 02.12.2019. Similarly placed co-accused has already been granted bail by a co-



ordinate Bench of this Court as contained in Annexure 2.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Singhiya P.S. Case No.79 of 2019, with following 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 properly 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 bond.

(S. Kumar, J)

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