

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7987 of 2020

Arising Out of PS. Case No.-627 Year-2019 Thana- BAHADURPUR District- Darbhanga

1. Binod Mukhiya Son of Late Budhan Mukhiya Resident of Village/Mohalla -
Bhatani, P.S.- Bahadurpur (Fekla O.P.). Distt - Darbhanga.
2. Upendra Mukhiya Son of Jibachh Mukhiya Resident of Village/Mohalla -
Bhatani, P.S.- Bahadurpur (Fekla O.P.). Distt - Darbhanga.
3. Ram Balak Mukhiya Son of Jibachhh Mukhiya Resident of Village/Mohalla
- Bhatani, P.S.- Bahadurpur (Fekla O.P.). Distt - Darbhanga.
4. Shobhit Mukhiya Son of Parikshan Mukhiya Resident of Village/Mohalla -
Bhatani, P.S.- Bahadurpur (Fekla O.P.). Distt - Darbhanga.
5. Lachho Mukhiya Son of Debu Mukhiya Resident of Village/Mohalla -
Bhatani, P.S.- Bahadurpur (Fekla O.P.). Distt - Darbhanga.
6. Hari Mukhiya Son of Debu Mukhiya Resident of Village/Mohalla - Bhatani,
P.S.- Bahadurpur (Fekla O.P.). Distt - Darbhanga.
7. Radhey Mukhiya Son of Siyaram Mukhiya Resident of Village/Mohalla -
Bhatani, P.S.- Bahadurpur (Fekla O.P.). Distt - Darbhanga.
8. Feku Mukhiya Son of Late Yogendra Mukhiya Resident of Village/Mohalla -
Bhatani, P.S.- Bahadurpur (Fekla O.P.). Distt - Darbhanga.
9. Sunil Mukhiya Son of Ram Sevak Mukhiya Resident of Village/Mohalla -
Bhatani, P.S.- Bahadurpur (Fekla O.P.). Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Parmanand Prasad



CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-02-2020 Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a)/30(c) of the Bihar Prohibition and Excise Act, 2016.

Informant in his written report has alleged that he received secret information that petitioners were brewing illicit liquor behind their house and when he raided the place along with police party after seeing the police party accused persons fled away and 24.5 litre of country made liquor was seized. Persons assembled there disclosed the name of petitioners to the Informant.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case on account of animosity and political rivalry. It has been further submitted that neither the petitioners were apprehended on the spot nor any illicit liquor has been recovered from their possession, as such no offence under Excise Act is made out against them. Petitioners have got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on anticipatory bail in the event of their arrest or surrender before



the court below within a period of four weeks from today upon
furnishing bail bonds of Rs. 10,000/- each with two sureties of
the like amount each to the satisfaction of learned court below
where the case is pending, in connection with **G.O. Case No.
1291 of 2019 arising out of Bahadurpur (Fekla O.P.) P.S.
Case No. 627 of 2019**, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

(S. Kumar, J)

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