

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20160 of 2020

Arising Out of PS. Case No.-547 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

SUKHARI MUKHIYA @ CHHOTU MUKHIYA, aged about 32 years, Son of Jittu Mukhiya, Resident of Village - Lalpur, P.S.- Runisaidpur, District - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Anand, Advocate.
For the Opposite Party : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 30(a), 30(g) and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2019.

The prosecution story, in brief, is that total 895.305 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since



27.12.2019. The petitioner has got no criminal antecedent. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 895.305 liters wine is recovered from the land situated at the back of the house of the petitioner. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the facts and circumstances of the case and also the lockdown, let the petitioner above named, be released on bail on his personal bond to the satisfaction of the learned Additional District Judge-II, Sitamarhi, in connection with Runisaidpur P.S. Case No. 547 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period



of four weeks from the date of lifting of the lockdown in the
State of Bihar.

(Sudhir Singh, J)

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