

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24386 of 2020

Arising Out of PS. Case No.-27 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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DINCHANDRA MUKHIYA @ DIL CHAND MUKHIYA Son of Late
Mahant Mukhiya @ Late Mahanth Mukhiya Residence of Village- Koari,
Ward No. 07, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.A. L. Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-09-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

The petitioner seeks regular bail in connection with

Complaint Case G. O. No. 27 of 2020, registered for the offence

punishable under Section 30 (a) of the Bihar Prohibition and

Excise Act, 2016.

The allegation against the petitioner is that the

Assistant Commandant, S.S.B., Sitamarhi, while on petrolling

duty, detected that some persons were coming from Nepal and

after seeing the armed forces, all the persons started fleeing

away, but on chase, two persons, namely Bhabhichhan Mukhiya

@ Bhavichhan Mukhiya and the petitioner, were apprehended



by the S.S.B. It has further been alleged that upon search, a total quantity of 167.1 litres of illicit Nepali Saufi liquor has been recovered from a bag.

Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and has falsely been implicated in this case with oblique motive. He further submits that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court, vide order, dated 09.06.2020, passed in Criminal Misc. No. 19268 of 2020. He further submits that the petitioner is in custody since 06.02.2020.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner, having no criminal antecedent, is in custody since 06.02.2020 and similarly situated co-accused person has been granted bail by a co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, 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 Additional Sessions Judge-II -cum- Special Judge, Excise, Sitamarhi, in connection with Complaint



Case G. O. No. 27 of 2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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