

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77135 of 2019

Arising Out of PS. Case No.-82 Year-2019 Thana- KARJAIN District- Supaul

Sakaldev Mukhiya, Son of Devnarayan Mukhiya, Resident of Village-
Chhitahi Hanuman Nagar, Dudhadhari, P.S.- Karjain, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-02-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, 59.7 litres of Nepali liquor kept just outside the house of the petitioner is said to have been recovered. It is further stated that the petitioner managed to escape.

It is submitted by learned counsel for the petitioner that the allegations levelled in the F.I.R. are false and concocted. No recovery as alleged has taken place from the person or possession of the petitioner or from the place alleged in the



F.I.R. Neither the petitioner was arrested at the spot nor the petitioner has any criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances as also the fact that the aforesaid recovery is said to have taken place from outside the house which is not under the exclusive control of this petitioner, the Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with S.T. Excise Case No. 685 of 2019 arising out of Karjain P.S. Case No. 82 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II-cum-Special Judge, Excise, Supaul, subject to the conditions as laid down in section 438 (2) of the Criminal Procedure Code.

Bibhash/-

(Partha Sarthy, J)

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