

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84554 of 2019

Arising Out of PS. Case No.-174 Year-2019 Thana- KUNDWACHAINPUR District- East
Champaran

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Mukhtar Mian, aged about 45 years (Male) Son of Late Samsuddin Mian
Resident of Village- Mahuawa, P.S.- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 17-03-2020

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

2. The petitioner seeks bail in connection with
Kundwa Chainpur PS Case No. 174 of 2019 dated 06.11.2019
instituted under Sections 272/273 of the Indian Penal Code and
30(a)/41(1) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that he
along with four others was bringing Nepali countrymade wine
and four persons ran away while the petitioner was caught with
126 litres of the said wine.

4. Learned counsel for the petitioner submitted that
only on suspicion he has been caught as he was passing that area



but the recovered article did not belong to him. It was submitted that the petitioner has no other criminal antecedent and is in custody since 07.11.2019.

5. Learned APP submitted that the petitioner was involved in the illegal trade of smuggling of illicit liquor.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousands) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, East Champaran, Motihari in Kundwa Chainpur PS Case No. 174 of 2019. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.



7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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