

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22749 of 2021**

Arising Out of PS. Case No.-384 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Puran Mukhiya, S/O Late Hari Nandan Mukhiya R/o village- Barahi, Ward
No. 7, P.S.- Parihar, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 31-08-2021 Learned counsel for the petitioner undertakes to remove

all the defects as pointed out by office within four weeks after start of

normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with C2 Case No. 384 of 2020 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

As per the prosecution story, the petitioner was arrested by
the S.S.B. personnel with 1100 bottles of Nepali Saufi wine of 300
ml each i.e. 330 liters, the same was being smuggled from Nepal to
India.

Learned counsel for the petitioner submits that petitioner
has been falsely implicated in this case, he is in custody since

22.10.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein total 330 liters of illicit liquor has been recovered, petitioner is in custody in connection with this case since 22.10.2020, he has no criminal antecedent, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge – II – cum – Special Judge (Excise), Sitamarhi, in connection with C2 Case No. 384/2020, subject to condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.