

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28366 of 2021

Arising Out of PS. Case No.-175 Year-2020 Thana- SINGHIYA District- Samastipur

SANJEET MUKHIYA S/o Ganeshi Mukhiya R/o village- Pipraghat, P.S.-
Singhia, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar Choudhary, Adv. Mr.Amish Kumar, Adv.
For the Opposite Party/s	:	Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Singhia P.S.
Case No.175 of 2020 (Excise G.R. No.913 of 2020, C.R.I.
No.1203 of 2020), registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

Altogether 326.370 liters of foreign liquor is said to have
been recovered from Bolero vehicle of the petitioner, who fled
away on seeing the police.

Learned counsel for the petitioner submits that petitioner
is quite innocent and has not committed any offence as alleged
in the FIR. No such occurrence has ever taken place. Neither the
petitioner has been apprehended on the spot nor any



incriminating article has been recovered from his conscious physical possession. Petitioner has been falsely implicated in this case on mere suspicion due to dirty village politics. He has no concern either with the seized liquor or any trade of liquor. The said vehicle from where recovery has been made does not belong to the petitioner. He is neither the driver nor the owner of the said vehicle. Petitioner has no criminal antecedent as mentioned in para-3 of the bail application and has been languishing in custody since 14.01.2021.

Petitioner is agreed to deposit a sum of Rs. 5000.00/- (Rupees Five Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IInd cum Special Judge (Excise), Samastipur, in connection with Singhia P.S. Case No.175 of 2020 (Excise G.R. No.913 of 2020, C.R.I. No.1203 of 2020), with the following conditions:-



(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000.00/- (Rupees Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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