

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31796 of 2020

Arising Out of PS Case No.-42 Year-2020 Thana- DARPA District- East Champaran

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1. Birendra Mukhiya, aged about 40 years, Gender- Male, Son of Shankar Mukhiya, Resident of Village- Rampur, Barka Tola, PS- Darpa, District- East Champaran, Motihari.
 2. Sanjay Sah, aged about 35 years, Gender-Male, Son of Prayag Sah.
 3. Bindeshwar Mukhiya, aged about 45 years, Gender-Male, Son of Kamal Mukhiya.
- Petitioners no. 2 and 3 are resident of Village- Rampur Pakariya Tola, PS- Darpa, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 22-02-2021 Heard Mr. Rajesh Kumar, learned counsel for the petitioners and Mr. Md. Arif, learned In-charge Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

2. Learned counsel for the petitioners at the very outset submitted that he may be permitted to withdraw the application on behalf of petitioners no. 1 and 2.

3. Accordingly, as prayed for, the application on behalf of petitioner no. 1 namely Birendra Mukhiya and petitioner no. 2 namely Sanjay Sah stands withdrawn and is



restricted to petitioner no. 3 namely Bindeshwar Mukhiya.

4. The petitioners apprehend arrest in connection with Darpa PS Case No. 42 of 2020 dated 20.03.2020, instituted under Sections 272 and 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

5. After some arguments, learned counsel for the petitioners submitted that the application be disposed off with liberty to appear before the Court below and pray for bail.

6. Having regard to the aforesaid, the application stands disposed off with liberty aforesaid.

7. If the petitioner no. 3, Bindeshwar Mukhiya, appears before the Court below within four weeks from today and prays for bail, the same shall be considered on its own merits, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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