

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34047 of 2020**

Arising Out of PS. Case No.-66 Year-2020 Thana- KHIRHAR District- Madhubani

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MUKESH SAH Son of Sukhai Sah Resident of Khirhar Bazaar, P.S.- Khirhar,  
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravindra Kumar Singh  
For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      15-03-2021                      Heard both sides.

The petitioner apprehends his arrest in Khirhar P.S.  
case No. 66/2020 registered under Section 272, 273 of the IPC  
and u/s 30(a) of the Bihar Prohibition & Excise Act.

The informant alleged that while he was on patrolling  
duty he got information that Mukesh Sah and others are  
indulged in illicit trade of liquor and when the informant went  
there he saw three persons fleeing away. The Chowkidar is said  
to have identified the petitioner.

The learned counsel for the petitioner submits that the  
petitioner has got no criminal antecedent and it is handiwork of  
the informant, a police officer, who wanted to implicate the  
petitioner in the case. Nothing has been recovered from the  
possession of the petitioner and petitioner is never indulged in



illicit trade of liquor.

Taking into consideration the facts aforesaid and the fact that petitioner is said to have identified by the Chowkidar but nothing has been recovered from the possession of the petitioner even after information received by the informant and the petitioner has got no criminal antecedent, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Khirhar P.S. case No. 66/2020, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

BKS/-

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