

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33912 of 2020**

Arising Out of PS. Case No.-98 Year-2020 Thana- BAIRIYA District- West Champaran

Malakh Mukhiya Son of Late Ram Lagan Mukhiya, Resident of Village  
Bairiya, P.S. Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shivjee Singh  
For the Opposite Party/s : Mr. A.G

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      29-01-2021                      Heard learned counsel for the petitioner and learned  
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Bairiya P.S. Case No. 98 of 2020 registered for offence punishable under section 30 (a), 37 (c) of the Bihar Prohibition and Excise Act.

It has been alleged that 109.920 litres of liquor has been recovered from the possession of the petitioner. The petitioner has long criminal history of same nature.

Learned counsel for the petitioner submits that the petitioner is in custody since 09.03.2020.

Looking to the period of custody, let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the



satisfaction of Special Judge, Excise, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 98 of 2020, subject to the condition that one of the bailors of the petitioner shall be his close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in the similar type of offence in future, the prosecution will have liberty to make prayer for cancellation of his bail before the court below and the court below will take decision in accordance with law. The petitioner will visit/report to Bairiya P.S. Case No. 98 of 2020 for at least one year and he will report there by 7<sup>th</sup> of each month.

**(Shivaji Pandey, J)**

Mahesh/-

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