

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35728 of 2020

Arising Out of PS. Case No.-127 Year-2020 Thana- SATHI District- West Champaran

PRAMOD MUKHIYA S/O LATE BIRBAHADUR MUKHIYA R/O
VILLAGE - BASANTPUR, P.S. - SATHI, DISTRICT WEST CHAMPARAN
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.R.B.Roy Raman

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-01-2021 Heard learned counsel for the parties.

This application for regular bail arises out of Sathi P.S. Case No. 127 of 2020, disclosing offence punishable under Sections 30(a), 30(c) and 30(d) of Bihar Prohibition and Excise Act, 2016.

On an information to the effect that trade of illicit liquor was being carried on in the cattle shed of one Sheshnath Mukhiya, a co-accused, a raid was conducted by the police party. On noticing presence of the police party, allegedly the persons present at the place of occurrence started fleeing away. The petitioner was, however, apprehended by the police. The police are said to have recovered 15 litres of illicit liquor and some other articles which could be used for manufacturing of illicit liquor.



Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is in custody since 07.08.2020.

On perusal of the statement made in paragraph 3 of the application, it transpires that the petitioner has criminal antecedent, inasmuch as, he has been implicated in two more cases of similar nature.

However, considering the quantity of illicit liquor said to have been recovered and the petitioner's period of custody as well as the fact that the charge-sheet has already been submitted, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Special Judge Excise, Bettiah, West Champaran in Sathi P.S. Case No. 127 of 2020.

It is, however, observed that if the petitioner is found indulging in such activities in future, the prosecution shall be obliged to approach this Court for cancellation of bail granted to the petitioner by virtue of the present order.

(Chakradhari Sharan Singh, J)

Rajesh/-

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