

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1116 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- MADHWAPUR District- Madhubani

Suresh Mukhiya Son of Yogendra Mukhiya Resident of Village - Bhimuha,
P.S.- Sursand, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 02-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Madhwapur P.S. Case No. 113 of 2020 (G.R. No. 1183 of 2020) registered for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

167.4 liters of Nepali wine has been recovered from possession of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of petitioner. Petitioner has got clean antecedent and he is in custody since 21.09.2020. Chargesheet has been submitted.

Considering the aforesaid facts and circumstances as well as nature of accusation, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on



furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II cum Special Judge, Excise Act, Madhubani in connection with Madhwapur P.S. Case No. 113 of 2020, G.R. No. 1183 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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