

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40187 of 2020

Arising Out of PS. Case No.-205 Year-2020 Thana- MAJHAULIA District- West Champaran

RANJAN MUKHIYA Son of Sri Ramesh Mukhiya Resident of Village-
Ninwaliya, P.S.- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-06-2021 Heard Mr. Umesh Chandra Verma, learned

counsel for the petitioner and Mr. Atul Chandra, learned APP

for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Majhauria P.S. Case No. 205 of

2020 instituted for the offences under Sections 30(a), 37(b),

37(c) of the Bihar Prohibition and Excise Act, 2016.

According to the First Information Report, two

persons fled away leaving behind liquor vessels. Those

persons were identified as Kashi Manjhi and Ajay Manjhi.

Thereafter the police party raided the village Ninwaliya and

found that some persons were sitting with huge quantity of



liquor kept in a gallon. Those persons also managed to run away. The local persons disclosed that one of the persons who had run away was the petitioner.

Learned counsel for the petitioner has submitted that except for such stray information by the local persons, there is nothing on record to suggest that the petitioner was in possession of liquor. One person by the name of Pramod Mahto was apprehended in a drunken state. Except for such vague accusation, there is nothing in the records which would demonstrate that any offence under the Excise Act can at all be said to have been made out against the petitioner.

The petitioner does not have criminal antecedents.

Considering the aforesaid facts, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, West Champaran at Bettiah, in connection



with Majhulia P.S. Case No. 205 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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