

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34302 of 2022

Arising Out of PS. Case No.-688 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. RAMJANAM MUKHIYA @ RAMJALAM MUKHIYA S/o Late Rameshwar Mukhiya Resident of Village- Madhubani Ghat, P.S.- Muffasil, District- East Champaran.
 2. Gagandev Mukhiya @ Gyan Mukhiya @ Gagan Mukhiya S/o Late Rameshwar Mukhiya Resident of Village- Madhubani Ghat, P.S.- Muffasil, District- East Champaran.
 3. Lalbabu Mukhiya S/o Shambhu Mukhiya Resident of Village- Madhubani Ghat, P.S.- Muffasil, District- East Champaran.
 4. Dhanohar Devi W/o Ramjanam Mukhiya @ Ramjalam Mukhiya Resident of Village- Madhubani Ghat, P.S.- Muffasil, District- East Champaran.
 5. Chinta Devi W/o Gagandev Mukhiya Resident of Village- Madhubani Ghat, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-09-2022 At the very out, learned counsel for the petitioners seeks permission to withdraw the petition of petitioner no.3, namely, Lalbabu Mukhiya.

Permission is accorded.

Accordingly, the petition of petitioner no.3, namely, Lalbabu Mukhiya is dismissed as withdrawn.

Heard learned counsel for the petitioners no.1, 2, 4 and 5 and learned APP for the State.



The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 30(a) (b), (c), 32 and 41(i) of the Bihar Prohibition and Excise Act.

It is a case of recovery of country made liquor near the bank of river.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that they have no concern with the seized liquor and no incriminating article has been recovered from the conscious possession of the petitioners and petitioners have not been apprehended at the spot and the name of the petitioners came into light on the basis of local Chaukidar.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioners, namely, Ramjanam Mukhiya @ Ramjalam Mukhiya, Gagandev Mukhiya @ Gyan Mukhiya @ Gagan Mukhiya, Dhanohar Devi and Chinta Devi, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive



Special Excise Court No.1, Motihari, East Champaran in
connection with Muffasil P.S. Case No. 688 of 2021, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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