

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56335 of 2021

Arising Out of PS. Case No.-360 Year-2021 Thana- MAJHAULIA District- West Champaran

RUDAL MUKHIYA S/O LATE JOKHAN MUKHIYA R/o 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.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 25-02-2022 Heard both the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Majhauria P.S. Case No.360 of 2021 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the name of the petitioner has come on the basis of statement of co-accused from whose possession the liquor was recovered. Thus, no case under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 is made out.

I have considered the submission.

Taking into consideration the over all aspect, I am inclined to grant anticipatory bail to the petitioner and in the



event of arrest, he shall be released on bail subject to the conditions as laid down under section 438(2) Cr.P.C., which are as under:-

1. The above named petitioner shall furnish personal bond with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer.

2. The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required.

3. The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

4. The petitioner shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

5. The petitioner shall not leave the territory of West Champaran without prior permission of the court, till trial is over;

6. The petitioner shall maintain law and order;

7. The petitioner shall, at the time of execution of the bond, furnish his address and mobile number to the



investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

8. The petitioner shall surrender his passport, if any, before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;

9. The petitioner shall regularly remain present during the trial and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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