

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44819 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Nitilal Mukhiya @ Netilal Mukhiya Son Of Shivbalak Mukhiya Resident Of
Village - Madhubani Ghat, P.S.- Muffasil, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 30(a)(b) 32, 41(i) of the Bihar Prohibition &

Excise Act.

There is recovery of 5 litres of country made

liquor. The petitioner is alleged to have fled away from

the place of seizure.

It is submitted by learned counsel for the

petitioner that petitioner was not apprehended from the



spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the place of seizure or the illicit liquor. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his 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 Thousands) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, East Champaran, Motihari in connection with Muffasil P.S. Case No. 40 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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