

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62485 of 2021**

Arising Out of PS. Case No.-135 Year-2021 Thana- SATHI District- West Champaran

Lalbabu Mukhiya, Son of Late Bhola Mukhiya, Resident of Village -
Basantpur, Police Station - Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 28-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Sathi P.S.
Case No. 135 of 2021 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.08.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that
allegation is of recovery of 101 litres of liquor from cowshed of
petitioner and 1000 litres of pas (meant for preparing liquor)
were destroyed.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case as the



recovery is admittedly from a cowshed which is a place outside the house and as such the petitioner was not knowing who had kept the said liquor and the pas. It is submitted that some enemy of the petitioner with a view to implicate him planted the aforesaid liquor and pas in his cowshed.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 11.08.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Sathi P.S. Case No. 135 of 2021.

(Satyavrat Verma, J)

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