

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10069 of 2023

Arising Out of PS. Case No.-427 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

Shankar Mukhiya S/O Jagdish Mukhiya R/O Village- Barahi, P.S.- Parihar,
Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner prayed for regular bail in
connection with Excise P.S. Case no. 427 of 2022 instituted
for the offence under Sections 30(a), 32(3) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 27 liters
illicit Nepali liquor which was recovered from a
motorcycle.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in



this present case merely on the basis of suspicion. The petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. No any incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 18.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 5,000/- (Five Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Case No. 427 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Exclusive Excise Court-II, Sitamarhi.

The bail bonds of the petitioner shall be accepted



by the learned court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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