

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 18237 of 2023

Arising Out of PS. Case No.-439 Year-2022 Thana- SITAMARHI District- Sitamarhi

SHAMBHU MUKHIYA S/O LATE YOGESHWAR MUKHIYA R/O
VILLAGE- RAJOPATTI (SOUTH OF BRAHM ASTHAN), P.S.
SITAMARHI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, there has been recovery of
15.750 liters of English liquor from the road, which is situated
in front of the petitioner's house.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot.
He submitted that the petitioner has no concern with the seized
liquor and place of occurrence does not belongs to the



petitioner. Nothing incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 22.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Exclusive Excise Court-II, Sitamarhi in connection with Sitamarhi P.S. Case No. 439 of 2022.

(Sunil Kumar Panwar, J)

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