

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23480 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- BALTHAR District- West Champaran

GANESH MUKHIYA Son of Late Narayan Mukhiya R/V- Parsauni, PS-
Balthar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 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 414 of the Indian Penal
Code read with Section 30(a)/37 of the Bihar Prohibition and
Excise Act.

As per prosecution case, there has been recovery of
72 liters of illegal liquor from a motorcycle, which was being
driven by the petitioner.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner was apprehended on spot. He submitted that the petitioner has no concern with the seized the wine. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 27.01.2023.

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

The petitioner is directed to deposit Rs. 10,000/- (Ten thousand) in the account of concerned DLSA.

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 Exclusive Special Judge, Excise Act, Bettiah at West Champaran in connection with Balthar P.S. Case No. 12 of 2023.

The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of deposit of Rs.
10,000/- (Ten thousand) by the petitioner in the account of
concerned DLSA.

(Sunil Kumar Panwar, J)

arish/-

U		T	
---	--	---	--

