

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26959 of 2023

Arising Out of PS. Case No.-1020 Year-2021 Thana- TURKAULIYA District- East
Champaran

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1. SIKINDAR MUKHIYA S/O JHAPAS MUKHIYA Resident of Village-
Chailaha Bintoli, P.S.- Banjariya, District- East Champaran.
 2. JAGU MUKHIYA S/O DASHRATH MUKHIYA Resident of Village-
Chailaha Bintoli, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 30(A),
32(i)(ii), 36, 41(i) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the
petitioners have antecedents of two cases and allegation is of
recovery of 5.900 liters of liquor from the shop of Chandan
Sahni, one litre of liquor form shop of Hiranman Choudhary and
100 ml beer from the shop of Imran Khan and half litre liquor
from shop of Sanju Sahni along with other articles as detailed in
the Seizure List.



Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is also submitted that petitioners came to be implicated based on confessional statement of Chandan Sahni in police custody which does not have any evidentiary value, it is next submitted that petitioners are not the owner of any of the aforesaid shops.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Turkauliya (Banjariya) P.S. Case No. 1020 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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