

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39002 of 2023**

Arising Out of PS. Case No.-187 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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BHOLA MUKHIYA, S/O RAMNATH MUKHIYA, R/O Vill. Koirgawa Bin
Toli, PS. Sangrampur, Dist. East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Sangrampur P.S. Case No.
187 of 2023 dated 14.05.2023 registered for the offences
punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 9.5 litres of illicit country
made liquor was recovered from the possession of the petitioner.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. He has further submitted that the petitioner has no concern with the alleged recovery. The petitioner is accused in 10 other criminal cases and he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 15.05.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Sangrampur P.S. Case No. 187 of 2023 with the conditions :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bond is liable to be cancelled.
2. If the petitioner is found involved in similar nature of offence in future,



the prosecution will be at liberty to
move for cancellation of his bail
bond.

The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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