

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47424 of 2023**

Arising Out of PS. Case No.-79 Year-2023 Thana- SATHI District- West Champaran

=====

Ramprit Mukhiya @ Rampreet Mukhiya Son Of Lalan Mukhiya Resident Of
Village- Basantpur, Ps -Sathi, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Ms. Shaheen Begum, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 11-08-2023 Heard Mr. Bimlesh Kumar Pandey, learned
counsel appearing on behalf of the petitioners and Ms.
Shaheen Begum, learned APP appearing on behalf of the
State.

2. The petitioner apprehends his arrest in connection
with Sathi P.S. Case No. 79 of 2023 registered under Section
272 and 273 of the Indian Penal Code and Section 30(a) of
Bihar Prohibition and Excise Act.

3. As per the allegation made in the F.I.R, 15 litres
of country made liquor was recovered from Bamboo clump.

4. Learned counsel appearing on behalf of the petitioner submits that bamboo clump from where the alleged recovery of 15 litres has been made does not belong to the petitioner. Learned counsel further submits that two similar nature of cases pending against him in which he has already been released on bail.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of allegation as well as the fact that bamboo clump from where the alleged recovery of 15 litres has been made does not belong to the petitioner, in view of the above matter I am of the opinion that the petitioner has made out a, *prima facie*, case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Sathi P.S. Case

No. 79 of 2023, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal
antecedent of the petitioner and if it is found that the
petitioner is involved in some other cases as what has been
stated in paragraph No.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

Minu/-

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