

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46052 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- LAKHNAUR District- Madhubani

SUNIL MUKHIYA S/o- KHUSHI LAL MUKHIYA Village- Deep Ps-
Lakhnaur Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s: Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection with
Lakhnaur (RSOP) P.S. Case No. 102 of 2023 dated 16.5.2023
registered for the offence punishable under Sections 272, 273/34
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. As per the First Information Report, the Police got
secret information that the petitioner along with other accused
persons were indulged in sale of illicit country made liquor and
upon such information, the Police reached near the place of
occurrence and upon seeing the Police party all the accused
persons succeeded in fleeing away. However, the *Chowkidar* of
the village identified the petitioner and other accused persons.



On search, the Police recovered 60 litres of country made liquor from the side of the road near the graveyard.

4. Learned counsel for the petitioner submits that the petitioner is man of clean antecedent and he has been implicated in this case on the basis of secret information collected by the Police. He further submits that the illicit liquor has not been recovered either from the conscious possession of the petitioner and/or premises belonging to him. He next submits that the petitioner has got no criminal antecedent.

5. Regards being had to the submission made by the parties and taking into consideration the fact that the illicit liquor has not been recovered either from the conscious possession of the petitioner and/or premises belonging to him and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Distt. Madhubani, in connection with Lakhnaur (RSOP) P.S. Case No. 102 of 2023,



subject to the condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

S.Ali/-

U			
---	--	--	--

