

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51448 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- SANGRAMPUR District- East
Champaran

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RAHUL MUKHIYA S/O JAICHANDRA MUKHIYA R/O VILLAGE-
SANGRAMPUR 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. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30 (a), 32,
41 (i) of the Bihar Prohibition and Excise Act, 2016.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of total 35 liters of liquor from a place near bank of
Bintoli river.
4. Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and he came to be
implicated at the instance of *Chowkidar* with whom he is on



inimical term, it is further submitted that even alleged recovery is from a place which is accessible to public at large.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned Exclusive Special Excise Court No.1, Motihari, East Champaran, where the case is pending/successor court in connection with Sangrampur P.S. Case No. 257 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Jyoti/Rishabh

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