

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54702 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- BISFI (PATAUNA) District- Madhubani

CHHOTE MUKHIYA, Son Of Jagdev Mukhiya, Resident Of Village-
Sohans, P.O.- Jafara, P.S.- Bisfi, Dist -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the Petitioner and
learned APP for the State

2. Petitioner apprehends his arrest in connection
with Bisfi(Patauna) P.S. Case No. 44 of 2023 dated 08.02.2023
registered for the offence(s) punishable under Section(s) 272,
273 and 34 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise act.

3. The main submissions advanced by petitioner's
counsel are that the alleged liquor was not recovered from the
conscious possession of this petitioner and he has been made
accused merely on the basis of secret information and the
alleged offences of the FIR do not even prima facie attract
against him and petitioner has fair and clean antecedent.

4. Learned APP appearing for the State has opposed
the prayer for bail.



5. Heard both the sides and perused the FIR and the seizure memos concerned to the recovery of liquor. In the present matter, the alleged liquor was recovered from two different places and one place is situated behind the *Gumati* of the co-accused Shankar Mahto and the second place is stated to be a pond situated behind the house of co-accused Jitendra Mukhiya accordingly, petitioner's connection to both the places of recovery does not appear and he has been dragged in this case merely on the basis of secret information and he has fair and clean antecedent, this Court is inclined to accept his prayer for anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Bisfi(Patauna) P.S. Case No. 44 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J.)

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