

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57869 of 2023

Arising Out of PS. Case No.-566 Year-2023 Thana- MAJHAULIA District- West Champaran

1. Maharaja Yadav Son Of Sri Dharm Yadav Resident Of Village - Dumari, P.S. - Majhaulia, District - West Champaran
2. Mohit Mukhiya Son Of Rakshiya Mukhiya Resident Of Village - Dumari, P.S. - Majhaulia, District - West Champaran
3. Jhulan Mukhiya Son Of Sri Rakshiya Mukhiya Resident Of Village - Dumari, P.S. - Majhaulia, District - West Champaran
4. Bindheyachal Mukhiya Son Of Late Rajman Mukhiya Resident Of Village - Dumari, P.S. - Majhaulia, District - West Champaran
5. Raju Tiwari Son Of Sri Kumari Tiwari Resident Of Village - Dumari, P.S. - Majhaulia, District - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sagar Kumar, Adv
For the Opposite Party/s : Mr.Braj Kishore Pd.A PP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioners and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioners apprehend their arrest in
connection with Majhaulia P.S.Case No. 566 of 2033
instituted under Section 30(a) of Bihar Prohibition & Excise
Amendment Act.

3. As per the prosecution case, 60 liters country
made liquor was recovered from bamboo clump.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in



this case. There is no recovery from conscious possession of the petitioners and the name of the petitioners have been disclosed by the chaoukidar due to village politics. The Petitioners have no criminal antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of their arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge Excise-West Champaran at Bettiah in connection with Majhaulia P.S.Case No. 566 of 2033, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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