

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68696 of 2022

Arising Out of PS. Case No.-618 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

=====

Jaggu Mukhiya S/o Ram Chander Mukhiya @ Chander Mukhiya Resident of
village Chailaha, Bind Toli, Ward No 4, P.S. Banjaria, District East
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Ms. Renu Kumari

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

It is alleged in the FIR that petitioner being the pillion
rider on a motorcycle fled away while his associate, who was
driving the motorcycle, had been apprehended by the police and
100 litres of country made liquor was recovered.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got one
criminal antecedent of similar nature as stated in paragraph-3 of



the bail application. It is further submitted that name of the petitioner surfaced in the case in the confessional statement of the apprehended accused. It is submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 30,000/- (rupees thirty thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.2, East Champaran at Motihari in connection with Excise Motihari P.S. Case No.618 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

- (i) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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

