

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71189 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- MANPUR District- West Champaran

SUNIL MUKHIYA Son of Sri Sitaram Mukhiya Resident of Village -
Basantpur, P.S.- Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Manpur PS case no. 19 of 2022 instituted for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 250 liters of illicit liquor from three motorcycles and one of the co-accused person namely Harendra Dhani, who was arrested from the spot, disclosed the name of the person, to whom the liquor was to be sold including that of the petitioner herein.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 09.10.2022. The



learned counsel for the petitioner has further submitted that only since the petitioner is accused in three other cases, he has been falsely implicated in the present case, however, the fact is that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the motorcycles in question belongs to the petitioner nor the petitioner has been apprehended from the spot.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the motorcycles in question belongs to the petitioner nor the petitioner has been apprehended from the spot nor he is the owner of the motorcycles in question. I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Exclusive



Special Judge, Excise, West Champaran at Bettiah in connection
with Manpur PS case no. 19 of 2022.

(Mohit Kumar Shah, J)

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