

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2411 of 2023

Arising Out of PS. Case No.-671 Year-2022 Thana- MAJHAULIA District- West Champaran

ACHHELAL MUKHIYA S/o Mukhi Mukhiya R/o Village- Masariya Sheikh,
Ward no. 05, P.S.- Majhauriya, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Anant Kumar Mishra, Advocate
For the State : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

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

5 litres of country made liquor has been recovered near the house of the petitioner. The petitioner is said to have fled away from the spot after seeing the police.

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 no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is no recovery from the conscious possession of the petitioner.



Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) in the P.M. Cares Fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID: pmcares@sbi.

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 Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Majhauriya P.S. Case No.671 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 the PM Cares Fund.

(Anjani Kumar Sharan, J)

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