

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78533 of 2023

Arising Out of PS. Case No.-518 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Gorakh Mukhiya Son Of Late Rajendra Mukhiya Resident Of Village -
Hasuaha, P.S. - Muffasil (Mothihari), District - East Champaran (Motihari)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alka Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 30(a), 41(1)
of the Bihar Prohibition and Excise Act.

3. According to the prosecution case, it is a case of
recovery of total 20 liters illicit liquor from bank of the river and
the petitioner is said to have been indulged in manufacturing of
liquor.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
present case on the basis of secret information. Neither he was



arrested on spot nor any incriminating article has been recovered from his conscious possession. He has also not concerned with the alleged recovery of illicit liquor. The petitioner is languishing in judicial custody since 25.8.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Motihari P.S. Case No. 518 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Motihari at East Champaran.

(Sunil Kumar Panwar, J)

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