

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8697 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- CHHAURADANO District- East
Champaran

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Munna Mukhiya, Male, aged about 28 years, Son of Babulal Mukhiya,
Resident of Tikuliya, P.S.-Adapur, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Kant, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Chhauradano (Mahuawa) PS Case No. 398 of 2023 instituted
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment)Act, 2016.

3. As per the prosecution case, total 114 liters of
country made Nepali Kasturi liquor has been recovered from the
field.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. Nothing has been recovered
from the conscious possession of the petitioner. Petitioner has



got clean antecedent and is in custody since 24.11.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 02, East Champaran, Motihari in connection with Chhauradano (Mahuawa) PS Case No. 398 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of fifteen days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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