

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19404 of 2024

Arising Out of PS. Case No.-63 Year-2023 Thana- KANGLI District- West Champaran

Mahendra Mukhiya S/o Ramdhyan Mukhiya R/o vill - Daptad Majhariya, P.s.
- Kangali, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv

For the Opposite Party/s : Mr.Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner apprehends his arrest in
connection with Kangali P.S Case No. 63 of 2023 instituted
under Section 272,273 of the Indian Penal Code and section
30(a), of the Bihar Prohibition & Excise Amendment Act.

3. As per the prosecution case, total 10 liters
liquor was recovered from the straw house of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner was neither arrested on the spot nor



the hut belonged to him. It is submitted that on the disclosure of choukidar Rajendra Yadav, the petitioner has implicated in this case. No incriminating article has been recovered from conscious possession of the petitioner. The petitioner has one criminal antecedent of similar nature.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon 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 Judge Excise-I, Bettiah, West Champaran / concerned court in connection with Kangali P.S. Case No. 63 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Chandra Prakash Singh, J)

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