

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75630 of 2023

Arising Out of PS. Case No.-208 Year-2021 Thana- PAKRIDAYAL District- East Champaran

Vijay Mukhiya Son Of Dharichan Mukhiya Resident Of Village - Sishani, P.S.
- Pakaridayal, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
30(a), 30(c) of the Excise Act.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of three cases and the allegation is of
recovery of 04 litres of liquor and 3000 litres of Mahua *Ghol*
from the bank of *Kachhua* river along with certain articles. It is
next submitted that petitioner was not arrested on the spot, as
such, nothing was recovered from his conscious possession and
he came to be implicated by local people, but then the FIR does
not disclose the name of person who disclose the name of
petitioner. It is also submitted that once a person is implicated in



a case related to Excise, thereafter the police starts implicating him in mechanical manner in all cases.

4. Learned A.P.P. opposes the bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 3, East Champaran Motihari in connection with Pakadiyal P.S. Case No. 208 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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