

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82625 of 2024

Arising Out of PS. Case No.-308 Year-2024 Thana- NAUTAN District- West Champaran

1. Mati Mukhiya @ Motilal Mukhiya Son of Late Ramdayal Mukhiya Village -Shivrajpur, Ward no. 8, Ps- Nautan, Dist- West Champaran
2. Hiralal Mukhiya son of Late Ramdayal Mukhiya Village -Shivrajpur, Ward no. 8, Ps- Nautan, Dist- West Champaran
3. Uday Mukhiya @ Udhay Mukhiya @ Udhao Mukhiya son of Hiralal Mukhiya Village -Shivrajpur, Ward no. 8, Ps- Nautan, Dist- West Champaran
4. Shubash Mukhiya @ Shubhash Kumar son of Motilal Mukhiya Village -Shivrajpur, Ward no. 8, Ps- Nautan, Dist- West Champaran
5. Anirudh Mukhiya @ Anrudh Kumar Mukhiya Son of Motilal Mukhiya Village -Shivrajpur, Ward no. 8, Ps- Nautan, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarendra Nath Verma Mr. Binay Kumar Sinha Ms. Surbhi Bhushan Ms. Abhirup
For the Opposite Party/s	:	Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-01-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.5, namely, Anirudh Mukhiya @ Anrudh Kumar Mukhiya as he was arrested during pendency of anticipatory bail application.
3. Permission is accorded.



4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.5, namely, Anirudh Mukhiya @ Anrudh Kumar Mukhiya as having become infructuous.

5. The rest petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 109, 121(1), 121(2), 132 of the Bhartiya Nyay Sanhita and Section 45 of the Bihar Prohibition and Excise Act.

6. The learned counsel for the petitioners submits that the petitioner no.4 has antecedent of one case while petitioner nos.1, 2 and 3 are persons with clean antecedent and the informant alleges that on secret information, police team raided the vegetable field and found illegal liquor concealed under the straw. Accordingly, the liquor was seized, when villagers arrived and attacked the police force with lathi, danda, on account of which, the informant and his team got injured. Further, alleges that the mob even tried to snatch the mobile and official pistol.

7. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case with general and omnibus allegation. It is also submitted that none of the petitioners are named in the FIR. It is further submitted that



since they stay nearby from the place of occurrence, as such, they also came to be implicated in the instant case

8. Learned A.P.P. opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-1, Bettiah, West Champaran in connection with Nautan P. S. Case No.308 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

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