

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42648 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- ANDHRAMATH District- Madhubani

RAJESH MUKHIYA Son of Late Lakshaman Mkhiya Resident of Village -
Chhatapur, P.S.-Andharamath, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Yadav, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Andharamath P.S. Case No. 35 of 2021 for the offence
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of 351 litres of
illicit Nepali liquor from an open field.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 27.03.2021.
The learned counsel for the petitioner has further submitted that
the co-accused person has already been granted bail by a
coordinate Bench of this Court vide order dated 29.10.2021



passed in Criminal Misc. No. 42463 of 2021.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person who has already been granted bail, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise, Madhubani in connection with Andharamath P.S. Case No. 35 of 2021, G.R. No. 549 of 2021.

(Mohit Kumar Shah, J)

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