

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13199 of 2021

Arising Out of PS. Case No.-67 Year-2019 Thana- RAHIKA District- Madhubani

JAGDEO MUKHIYA S/o Bindeshwar Mukhiya R/o village- Jaganpur Tole,
Barhaiya, Kamalsthan, P.S.- Rahika, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-07-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Rahika PS Case No. 67 of 2019, registered under Sections 272 and 273 of the Indian



Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

89.1 litres of illicit liquor has been recovered from behind the petitioner's house.

Learned counsel for the petitioner submits that having no criminal antecedents, petitioner is in custody since 07.10.2020. Recovery as per prosecution case is neither from petitioner's possession or from his house. Recovery is not in accordance with law.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II-cum-Special Judge, Excise Act, Madhubani, in Rahika PS Case No. 67 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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