

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5881 of 2023

Arising Out of PS. Case No.-503 Year-2018 Thana- JAYNAGAR District- Madhubani

Mithilesh Mukhiya @ Mithlesh Mukhiya Son Of Gudri Mukhiya Resident Of
Village- Korahiya, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate Mr. Vinod Kumar, Advocate Mr. Udeshya Kumar Yadav, Advocate Mr. Ravi Prakash, Advocate
For the Opposite Party/s	:	Mr. Pushpa Sinha, A.P.P

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

ORAL ORDER

2 05-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Jaynagar P.S. Case No. 503 of 2018 dated 09.09.2018 registered for the offences punishable under Sections 272, 273 and 414 read with 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, on seeing the police,



some persons tried to escape, but one person was apprehended who disclosed his name as Shailendra Yadav. On search of the nearyby place, 319.50 litre of illicit liquor, one motorcycle and two cycle were recovered. On being asked, he also disclosed the name of the miscreants who fled away as the petitioner Mithilesh Mukhiya and other co-accused persons as Upendra Yadav, Dhandeo Yadav, Khana Mukhiya, Govind Yadav, Sunil Yadav, Lalu Yadav, Virendra Mukhiya, Bhula Mukhiya and Ras Lal Mukhiya.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is neither owner nor the pillion rider of the said seized motorcycle and cycle. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Jaynagar P.S. Case No. 503 of 2018.

The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

