

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39976 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- KHAJAULI District- Madhubani

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BAUKU MUKHIYA Son of Late Mochan Mukhiya Resident of village - Pali
Mohan, P.S. - Khajauli, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Nagendra Prasad

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

ORAL ORDER

2 12-07-2023 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 Khajauli P.S. Case No. 29 of

2023 dated 23.2.2023 registered for the offence punishable u/s

272, 273 of the Indian Penal Code and Section 30(a) of the

Bihar Prohibition and Excise Act.

As per the prosecution case, 70.2 litres of liquor is

alleged to have recovered from the house of the petitioner.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The alleged recovery is from the joint house of the petitioner. The petitioner is accused in one more criminal case in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 24.2.2023.

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 Khajauli P.S. Case No. 29 of 2023, G. R. No. 310 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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