

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44795 of 2023**

Arising Out of PS. Case No.-156 Year-2023 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Balbir Mukhiya S/O Rajendra Mukhiya R/O Village- Bishahariya, P.S-
Kusheshwar Asthan, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar Advocate General

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 28-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is apprehending his arrest in a
case registered for the offences punishable under Section 30(a)
and 30(c) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 4 liters of country made
liquor is said to have recovered from from place of the
occurrence. He submits that allegation against the petitioner is
that he managed to ran away from the place of occurrence. He
submits that there is no recovery made from the conscious
possession of the petitioner. He further submits that petitioner



has got no criminal antecedent as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Considering the facts and circumstance of the case, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kusheshwar Astha P.S. Case No. 156 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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