

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61382 of 2023

Arising Out of PS. Case No.-116 Year-2023 Thana- JAYNAGAR District- Madhubani

Buddi Mukhiya Son Of Late Manager Mukhiya Resident Of Village- Dormar,
Police Station -JAY Nagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

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

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

ORAL ORDER

2 12-09-2023 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.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Jaynagar P.S. Case No. 116 of 2023 corresponding to G.R. No. 435 of 2023 dated 17.03.2023 registered for the offences punishable u/ss 272, 273 and 414 read with section 34 of the IPC and sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 175.8 litres of Nepali liquor kept in four DJ boxes was recovered from a Tempo.

5. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced in the confessional statement of the co-accused, Krishna Kumar Shah. The petitioner is neither the driver nor the owner of the said vehicle. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.05.2023.

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

7. 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. 116 of 2023 corresponding to G.R. No. 435 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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