

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68631 of 2023**

Arising Out of PS. Case No.-63 Year-2023 Thana- JAMALPUR District- Darbhanga

1. FUL MUKHIYA @ FULO MUKHIYA SON OF RAJESHWAR MUKHIYA  
RESIDENT OF VILLAGE - PUNADH, P.S. - BIRAU, DISTRICT -  
DARBHANGA
2. SHANKAR MUKHIYA SON OF FULO MUKHIYA RESIDENT OF  
VILLAGE - PUNADH, P.S. - BIRAU, DISTRICT - DARBHANGA
3. SHANKAR MUKHIYA @ RAMA SHANKAR MUKHIYA SON OF  
LAXMI MUKHIYA RESIDENT OF VILLAGE - PUNADH, P.S. -  
BIRAU, DISTRICT - DARBHANGA
4. MANTOSH PASWAN SON OF PAWAN PASWAN RESIDENT OF  
VILLAGE - SONEPUR, P.S. - BIRAU, DISTRICT - DARBHANGA

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Virendra Kumar  
For the Opposite Party/s : Mr. Raj Ballabh Singh

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

2      30-11-2023

Perused the office notes.

2. Defect no.6 (1) is ignored.

3. Regarding the other defects, he is permitted to  
remove the same during course of the day.

4. Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

5. The petitioners apprehend their arrest in a case  
registered for the offences punishable under Section 30 (a) of  
the Bihar Prohibition and Excise Act.

6. It is submitted by learned counsel for the



petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 170.025 liters of foreign liquor is said to have been recovered from a vehicle. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have been falsely implicated in this case by the police due to some altercation between them on his refusal to cough up the demand of graft made by them. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

7. Petitioner are agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) **each** in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

8. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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 Jamalpur



(Badgaon O.P.) P.S. Case No.63 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that

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

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

9. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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