

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81404 of 2023

Arising Out of PS. Case No.-222 Year-2023 Thana- BENIPATTI District- Madhubani

1. Rakesh Mukhiya @ Chhote Mukhiya Son Of Hira Mukhiya R/O Village-Pupari Bulan Chowk, Railway Gumti No.36, Ward No. 05, P.S.- Pupari, District- Sitamarhi
2. Pramila Devi Wife Of Rakesh Mukhiya @ Chhote Mukhiya R/O Village-Pupari Bulan Chowk, Railway Gumti No.36, Ward No. 05, P.S.- Pupari, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for bail in a case registered for the offence punishable under sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 278.04 litres of IMFL and a motorcycle bearing Reg. No. BR-30AD-9416 from the house of petitioner No. 1, namely, Rakesh Mukhiya @ Chhote Mukhiya.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. They have no concern with the alleged recovery. Nothing incriminating article has been recovered from their conscious possession rather the liquor was recovered from the house of the petitioners which is a joint family house. It is further submitted that recovered motorcycle belongs to the petitioners. They are languishing in judicial custody since 29.09.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge II-cum-Special Judge, Excise Act,
Madhubani in connection with Benipatti P.S. Case No.
222 of 2023.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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