

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9066 of 2024

Arising Out of PS. Case No.-486 Year-2023 Thana- JAYNAGAR District- Madhubani

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Baijnath Mukhiya, aged about 30 years, Male Son of Late Chulai Mukhiya,
Resident of Village- Pithwatol, Ward No 11, P.S. Deodha District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ahmad Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jaynagar PS Case No. 486 of 2023 corresponding to G.R. No.
1772 of 2023 instituted for the offences punishable under
Sections 272,273,414/34 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 178.5 liters of
liquor has been recovered from a tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has



falsely been implicated in this case. From perusal of the first information report, seizure list and impugned order of the learned Special Judge, Excise Act, Madhubani dated 04.01.2024, it appears that witnesses of the case diary have supported the case of the prosecution. Petitioner has got no criminal antecedent as stated in para-3 of the petition. Petitioner is in custody since 10.12.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) 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 Jaynagar PS Case No. 486 of 2023 corresponding to G.R. No. 1772 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the petitioner shall be released on bail on above conditions and he shall be present physically on



each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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