

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17189 of 2024

Arising Out of PS. Case No.-495 Year-2023 Thana- JAYNAGAR District- Madhubani

=====

RAMESH MUKHIYA SON OF GANGA MUKHIYA RESIDENT OF
VILLAGE - JAY NAGAR BAZAR SAMITI, POLICE STATION - JAY
NAGAR, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Ms.Asha Kumari, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 3 03-04-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with
Jaynagar P.S. Case No. 495 of 2023 (G.R. No. 1830 of 2023)
instituted for the offences punishable under Section 272, 273,
34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.
3. The prosecution case, in short, is that total 207 litres
of liquor was recovered from two bicycles.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner is neither the owner nor the driver of the bicycles. The petitioner has got no concern with the alleged recovery of liquor. Similarly situated co-accused person has already been granted bail by this Court vide order dated 28.02.2024 passed in Cr. Misc. No. 13221 of 2024. The petitioner is in custody since 21.12.2023 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity, clean antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jaynagar P.S. Case No. 495 of 2023 (G.R. No. 1830 of 2023).

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

