

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14869 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- LAKHNAUR District- Madhubani

Ganesh Mukhiya Son of Bharat Mukhiya Resident of Village- Maibi, Vinma
Tole, Ward No. 12, P.S.- Lakhnaur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. C. Jawahar, APP

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

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 879 of 2023, arising out of Lakhnaur P.S. Case No. 261 of
2023, instituted for the offences punishable under Sections 272,
273 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 189 liters
liquor was recovered from the house of the petitioner and he
was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. No incriminating



material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The alleged recovery was made from a joint family houe where several persons live. The petitioner is in custody since 06.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with G.R. No. 879 of 2023, arising out of Lakhnaur P.S. Case No. 261 of 2023.

(Rudra Prakash Mishra, J)

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