

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28899 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- JAYNAGAR District- Madhubani

Khanna Mukhiya @ Rajesh Khanna Mukhiya Son of Gudri Mukhiya
Resident of village- Korahiya, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., (App)

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 16-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Jaynagar P.S. Case No. 50 of 2024 registered for the offence under Sections 272, 273 / 34 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, it is a case of recovery of total 472.5 liters of illicit liquor from inside Alto Car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioner. He further submits that the petitioner was not arrested on spot and there is no independent witness of the seizure list. The petitioner is in custody since 04.03.2024.

5. However, learned APP for the State vehemently



opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case, 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 learned Additional Sessions Judge – II – cum- Special Judge, Excise, Madhubani in connection with Jaynagar P.S. Case No. 50 of 2024.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the above conditions and he shall be present physically on each and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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