

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39110 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Manoj Mukhiya SON OF Shiv Balak Mukhiya VILLAGE- HASUAHA, PS-
MUFFASIL, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 116/2024 lodged on 05.03.2024 under
Sections 272, 273 of the Indian Penal Code read with section
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, FIR has been lodged
against the present petitioner from whose possession 10 *litres* of
country made liquor has been recovered from his motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the criminal antecedent of the petitioner is not
clean and there is one criminal case pending against him in
which he is on bail. The petitioner is in custody since
06.03.2024 in the present case. Counsel also submits that the



petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him and will not commit any such mistake in future.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Civil Court, East Champaran at Motihari in connection with Muffasil P.S. Case No. 116/2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.

7. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

(I)- Muffasil P.S. Case No. 138 of 2022.

(Dr. Anshuman, J.)

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